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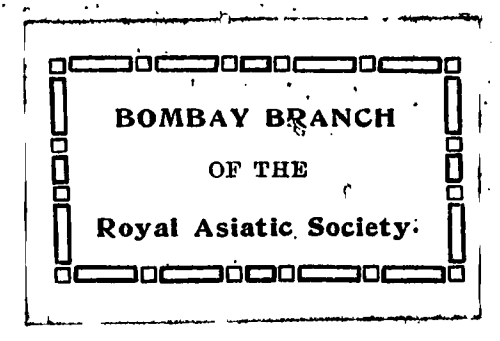

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EAST INDIA (CONSTITUTIONAL REFORMS)

Indian Franchise Committee

1932

Volume IV

108870

Selections from Memoranda submitted by Individuals and Oral Evidence

(Madras, Bombay, Bengal and the United Provinces)

CX-f2-8

LONDON
PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE
To be purchased directly from H.M. STATIONERY OFFICE at the following addresses
Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh 2
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1932

Printed in India

Price 8s. 6d. Net

88-805-4

(16907—52) Wt. P2052 1093 625 11/32 P. St. G. 335

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Madras.

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MADRAS.

Dated 29th February, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE MADRAS PROVINCIAL FRANCHISE COMMITTEE.

Sir BERNARD BOURDILLON, K.B.E., C.M.G., Chief Secretary to the Government of Ceylon, with Mr. H. P. KAUFMANN, of the Ceylon Civil Service.

The Chairman: My first duty is to thank Sir Bernard Bourdillon on behalf of both the Committees for taking the trouble to come a 36 hours' journey to give evidence on a very important matter. I am sure I am expressing the views of every one of us present in thanking you very cordially for coming all this way.

1. There are one or two preliminaries I wish to ask in order to clear the ground. What is the population of Ceylon?—Five million three hundred thousand. The 1931 census was not taken very accurately except in Colombo and the Planting district but the figures for the rest of the island were compiled from the vital statistics of the last few years.

2. What is the area?—I cannot tell you accurately.

3. Is it thickly populated?—It varies, in the district of Multi from 12 per square mile to about 1,100 per square mile in the Western Province. The average population per square mile is 210.

4. I want to clear one matter although it is not quite relevant. I understand the Constitution of Ceylon is not Parliamentary. It is modelled on the London County Council, that is to say, a system of departments of Government each managed by a committee?—That is so.

5. I understand that the basis of the Constitution was supposed to be universal adult suffrage?—Yes.

6. I notice that in the rules there seem to be two different qualifications. Can you explain what the qualifications are?—Yes. Perhaps, I might begin with the recommendations of the Donoughmore Commission and show you where we departed from the recommendations of that body. Their recommendations were, universal suffrage, for women at the age of 30 and for men at the age of 21, with a qualification of at least 5 years' residence in Ceylon. They also recommended that we should retain the old property and literacy qualification so that any persons who already possessed that qualification might not be disfranchised. During the discussions on the new Constitution there was considerable agitation amongst the Ceylonese with regard to the Indian Tamil population; that is to say, estate labour population. They were very anxious that they should not be let in upon the broad basis of adult suffrage with 5 years' residence as the only limiting qualification. To meet their wishes—which to a certain extent it was necessary to do in order to secure their acceptance of the new Constitution—Sir Herbert Stanley suggested that it should be necessary for any person who was not a Ceylonese and who did not come in under the property qualification to take out a certificate of permanent settlement and he had to say that he was domiciled in Ceylon or that he had permanently settled there with

the intention of residing there and a result of that permanent settlement was that he had renounced any privileges which were not shared by all the inhabitants of Ceylon. There were certain privileges which had been secured for estate labour and Indian estate labour and, of course, they did not like the prospect of only getting their vote by renouncing these privileges. The Government of India also objected to the compromise by which we introduced the domicile qualification. We finally wound up with adult suffrage for men and women over 21 with the qualification of at least 5 years' residence in Ceylon. Apart from that there was the old literacy qualification with the necessity of domicile not attached to it; and then we still retain the recommendations for a sort of permanent settlement. Actually, in fact, that was employed very little because most of the Indians who registered came in under the domiciliary qualification.

7. Of 5 years?—Five years unless you could prove domicile of origin.

8. Was it not their proposal that only those people should be put on the roll who applied for it?—That is actually the fact. That was the recommendation of the Donoughmore Commission themselves, that registration should not be compulsory or automatic but that only those persons who applied to be registered should be registered. One of the objects was to prevent a sudden increase but in making that recommendation they overlooked the practice in Ceylon by which the candidates themselves go round and register the votes and the result was that actually the number of voters registered was much larger than the Donoughmore Commission's anticipations.

9. Let me understand the position. Government do not make themselves responsible for the registration?—What happens is, a man gets a registration form free. He fills that in and under the present law receives an acknowledgment.

10. You distribute registration forms to every one?—No, they have to get the forms themselves. Actually a candidate or his agent would come in and collect a thousand forms and go round to the villages and get every one to fill them in and then he would come and hand them in himself. I might explain that the candidates tried to make this period a sort of preliminary election campaign and they told the voters " When I bring the form for you to register you must vote for me ". There was an impression prevailing amongst the ignorant voters that once they signed the form given by a certain agent or candidate they were bound to vote for him. At the request of the members of the Legislative Council we did our best to disturb that illusion by telling the headman of the village to instruct the villagers that they were not bound to vote for the man who registered their names; but a number of candidates tried to strengthen this impression in this way,—the registration form contains the address to which the acknowledgment is to be sent and candidates, in a great many cases, put their own addresses and they collected the acknowledgments, made copies or photographs and sent them to the voters telling them that their names had been registered as voters.

11. Can you form any opinion as to that point, whether it would be better for the Government to do the registration, or would you leave it to the individual to make an application as at present?—Opinions differ a great deal on that point. Mr. Reid who is the Officer that drew up the election procedure and is responsible for the whole scheme and for the actual machinery, was strongly of the opinion that it would be better for the Government to do the actual registration. There are other points to decide. In the first place, it would mean, probably,—I don't say necessarily—an undesirable increase in the number of voters registered at this stage; and in the second place, it would undoubtedly lay the headman open to the charge of interfering by suppressing the registration of voters known to be in favour of

29th February, 1932.] Sir BERNARD BOURDILLON & Mr. H. P. KAUFMANN. [*Continued.*

the candidates whom he himself did not favour. There is always a great deal of talk among candidates about headmen interfering and if they had to do the work of registration they certainly would be accused, rightly or wrongly (probably wrongly), of registering anybody whom they favoured.

12. Their duty would be to register everybody?—Yes.

13. And if they failed the individual should make an application to be put on the roll?—Yes. I might mention that the registration forms were sent round to all post offices and to all the headmen: they were distributed as widely as possible. The men did not have to go to a central kutchery.

14. What is the adult population and what is the number of voters?—The adult population, speaking roughly, is presumably about half the total population. We assume the adult population to be about 2,650,000 and the total number of registered voters 1,577,932, which makes about 60 per cent. of the adult population. Out of that the number of females is 599,384.

* * * * * * *

15. Can you tell me the number of constituencies?—50 territorial constituencies.

16. What is the size, on the average?—They vary: they were based on population, not on size. Actually the Limitation Commission were told that the average size would be between 100,000 and 125,000 inhabitants and without the permission of the Governor in Executive Council they were not to make a constituency less than 75,000. They had not got accurate and up-to-date figures of the distribution of the population. So they worked on the 1921 census figures and they reduced their figures proportionately and made their minimum 82,000 with an upper limit of 102,000 as they were working on the 1921 census figures of 4½ millions. They reduced their lower limit also in proportion. Actually when they were dividing the country up into constituencies they got 49. They tried to keep their units homogeneous and not to break into boundaries (and never to break into Provincial boundaries). They eventually allotted 49 seats and they found one to play with and so they decided that if they wanted to give that away, they would give it to a very sparsely inhabited district in the north; but the total population of that according to the 1921 census was only 44,000 which, of course, brought them considerably below 75,000 and they obtained the permission of the Governor in Executive Council to give that one constituency to a large area of country stretching below the Jaffna Peninsula. That is actually the smallest constituency but it is not the constituency registering the smallest number of voters. There are three constituencies registering a smaller number of voters.

17. On the average, what is the number of voters, leaving that one out?—32,000.

18. An average constituency contained actually 32,000?—Yes. I can tell you off-hand; the highest was 46,000 and the lowest was 11,000.

19. How was the Limitation Commission appointed?—It was appointed by the Governor under an Order in Council.

20. How was it composed?—One High Court Judge and two Civil servants; and it had a Survey Officer as Secretary.

21. Each constituency was divided into polling districts. Upon what basis was that done?—The idea was that a polling station should not serve more than 5,000 voters and it should not have a radius of more than 5 miles.

22. Each polling station made arrangements to have 5,000 voters?—No, actually more. We made adequate provision for more.

23. Did you actually poll 5,000 votes in any one polling station?—Not 5,000.

29th February, 1932.] Sir BERNARD BOURDILLON & Mr. H. P. KAUFMANN. [*Continued.*

24. Could you tell us the actual method by which the election is conducted, the way in which the votes are recorded and so on?—The actual system is this. There was no marking of the ballot paper by the voter at all. We had a special committee appointed to report on the method of the ballot and that committee advised the system which I will shortly describe. Two of the non-official members of the Council, one of whom is now a Minister, who were members of that committee dissented from the proposed method, but I think they agree now that it is in every way thoroughly satisfactory. That system was this. A colour was allotted to each candidate and inside the voting compartment there was a coloured box for each candidate with his name marked on it. We considered the idea of having the candidate's photograph on the box as well. But in order to make the system as simple as possible and also to avoid the chance of confusing the voter—as many voters might not be acquainted with the face of the candidate—we decided on the method of colour. The ballot paper was given to the voter and he put it into the appropriate box.

25. Could you describe what happens when the voter goes to the poll?—Mr. Kaufmann will describe it as he has more experience of that. (*Mr. Kaufmann*): Before the voter actually came to the polling station, an arrangement was made that he should come with a card bearing his number on the electoral list. He got it from the agent of the candidate. There were small rooms in front of the place where the polling station was and candidates provided the voters as they came along with a card bearing their number. If he failed to get the number there, we had a couple of clerks outside the polling station but inside the enclosure, with a full list of electors and they would give him the number if he had not got one already. The idea was that as soon as he went into the station he could go straight to his appropriate table. Actually we had a separate entrance and exit for each unit. A polling station usually had about 3,000 voters divided into three divisions, 1 to 1,000 in the first, 1,001 to 2,000 in the second and the balance in the third division. He was told to go either to the right or left, so that when he got to the station it was quite clear what his number was. Then at the table there were two clerks. There was one table for each unit.

26. Each unit having a thousand voters?—Yes, roughly. When one clerk read out the number, the other clerk would make sure that it was correct and the man's name would be shouted by the clerk who took the paper, and the second clerk ticked his name off in the list and handed to the voter something like a visiting card, a small white card with nothing on the top except the name of the polling station. He had to punch the paper or stamp it, to show that it had been issued by the election officer. Then the voter went into his cubicle.

27. There was a serial number on each paper?—There was a serial number on it. (*Sir Bernard Bourdillon*): That is rather important. There was a number on the counterfoil and on the paper. The counterfoil is printed on the face and the ballot paper is printed on the reverse. It is important because no candidate should be able to see the number on the ballot paper days afterwards. (*Mr. Kaufmann*): The number of voter in the list was written on the counterfoil only.

28. That is all that is written on the counterfoil? Just the number?—Yes, but on the card itself there is no number except the serial number. Then it was punched and the voter went into the cubicle and put the paper in the box he preferred.

29. Should he not see the presiding officer at any time?—If the man's name could not be found in the list the clerk at the table put a question mark on his number card and passed him on to the presiding officer. The clerk at the table is not allowed to hold up the proceedings in any way. The number card is sent to the presiding officer. In case of a tendered vote—

29th February, 1932.] Sir BERNARD BOURDILLON & Mr. H. P. KAUFMANN. [*Continued.*

that is, when a man comes up and gives his name and it is found that the person bearing that name has already voted—the matter is referred to the presiding officer.

30. As I understand it, the whole procedure except in cases of dispute is conducted by the clerks. They check the number, issue the ballot paper and then the voter goes to the cubicle and drops the ballot paper into whatever box he likes, and goes out. Is it not so?—This is done in full view of the presiding officer.

31. He would not have to show to the presiding officer that the ballot paper was properly examined?—No.

32. I understand that you had one presiding officer and two clerks per thousand electors. Is that correct?—Yes, and an assistant presiding officer. He is usually a superior and very intelligent clerk. He saw that the men did not go into the wrong cubicle. He is there to help the man to go in and come out and generally supervise the work. And if the presiding officer empowers him to do so, he can deal with any question.

33. Could you tell me the type of people you use for presiding officers on the one hand and for the polling clerks on the other hand?—The presiding officers in all cases are civil list officers. (*Sir Bernard Bourdillon*): "Civil list officers" does not necessarily mean officers of what we call the Civil Service. A civil list officer is equivalent to what you call a gazetted officer in India.

34. Did you use any non-official people as presiding officers?—No. Where ladies performed the duties of assistant presiding officers non-official people were employed; they were very few. But all presiding officers were males. In a few cases where Muslim ladies were concerned, ladies performed the duties of assistant presiding officers, but that was in a very few cases.

35. What type of people did you use as clerks?—The clerks came from Government offices or semi-Government offices. The assistant presiding officers were generally chief clerks or some persons in responsible positions.

36. Did you have any criticism of the system on the ground that the ballot papers were not properly issued or were issued to the wrong people?—(*Sir Bernard Bourdillon*): I think I may say, Sir, that apart from the fact that there were a few cases of impersonation, nothing that the Government has done for the last ten years has been less criticised. It was recognised as a thorough success.

37. What arrangements did you make for women? Did you provide separate polling booths for women or make any separate arrangements?—(*Mr. Kaufmann*): That is really decided on the basis of numbers. Supposing we have 6,000 voters for a division or an electoral district, we take 80 per cent. of the registered voters as likely to come to the polls and we work on that basis. Where the number of voters exceeds 6,000 we have separate polling stations for men and women.

38. Under what conditions?—The average number for a polling station is about 3,000. In some cases we have 4,000. When it exceeds 6,000 we have separate polling. These separate polling stations are arranged very often in the boys' and girls' school in the village side by side, so that the voters can come together and then go to their respective polling stations separately.

39. Were there any separate arrangements, like having compartments for women?—Where it is a completely female polling station, the arrangements are exactly the same as for men. Where there was mixed polling, we had a separate cubicle for women, with the same entrance. In a majority of cases they were quite separate.

40. Could you tell me how the colours were allotted to each candidate?—(*Sir Bernard Bourdillon*): The colours are allotted on the nomination day,

and there is no difficulty about that. When a candidate is disgruntled that he did not get the colour he liked, the colour is generally allotted by casting lots.

41. For how many days would the polling go on?—It will begin on Saturday, it is held again on the next Wednesday, and again on the next Saturday. That is, it takes a week.

42. Do you move the whole staff from one constituency to another, or what do you do?—(*Mr. Kaufmann*): It is a matter of arrangement. The number of the various clerks and officers available will have to be considered. They are sent from place to place within one electoral district.

43. No polling station takes more than one day?—No. In the electoral districts voting is completed in one day. The hours are from 8 in the morning to 5 in the afternoon.

44. What will be the number that go to the poll?—Approximately half the electorate go to the poll.

45. Now the method you adopted lends itself to corruption in some cases. There is no guarantee that the individual voter has put his ballot paper in the box. He may take it away with him and give it to the candidate or candidate's agent, and the latter may thus get 50 or more votes thrust into the box by another voter.—There was an allegation made to the effect that it would lead to that practice. But it was rather difficult for one to thrust 50 papers in at one time. Again, why should we deprive a man of the right to put the ballot paper into the box fearing he would give it to somebody else?

46. Your argument is that we get certain results.—Yes. But the slots in the boxes are made of such a size that they would just conveniently allow one ballot paper unfolded to go in. That was done with the idea of making it difficult to insert a large number of ballot papers at once. The presiding officer was entitled to go into the polling booth at any time just to make sure that it was all right, and he was particularly instructed to see that nobody stayed too long so as to arouse suspicion that he was tampering with the vote papers. Actually we had no complaint that that practice was indulged in. It was freely prophesied before that it would be indulged in, but I thnik I am right in saying that we had no complaint that it had been indulged in.

47. Would you explain the difficulties about counting of the votes? When a ballot paper was put into the box was there any means of identifying it?—Actually I made a suggestion as a safeguard against mixing up of ballot papers. Directly the papers were taken out of the box before counting they were stamped with the name of the candidate. But that has proved so far to be an unnecessary precaution. And it has been recommended that the precaution should be dropped.

48. Can you tell me whether there was any electoral campaign by the candidates?—There were two electoral campaigns, one at the time of registration and one subsequently; this is at the time of the election itself and it is a fairly active campaign. The activities varied of course with the people and the amount of opposition.

49. Could you say that every voter was in some way or other canvassed? —No.

50. In the case of the illiterate voter, how did he obtain any knowledge of what he was voting for?—Well, he would be told by the candidate or the candidate's agent, I should say in most cases most of the voters were told something. I am thinking in particular of one province where we had rather an astonishing result. That was in the North Central Province where a European was returned in a territorial constituency by 8,300 votes against his opponent's 8,080, and the European's expenses were Rs. 17. He

did no electioneering work. He is a retired civil servant who devoted himself to the interests of the villagers and lived like a villager and he had been in the State Council before. He takes much interest in the villagers of his own backward district. He simply became a household name there. But in ordinary cases we may take it that probably anybody who came to the poll had been electioneered in some way or another.

51. Did that system put any unendurable or severe strain on the Government servants?—It did mean a great deal of extra work to be done for a few weeks, but it was got through all right. But I think it is perhaps well to remember when comparing it with things in India that the proportion of Government servants per head of the population is more there than in India.

52. Could you give us figures on that point, which is very important, *i.e.*, the percentage of officials available to the population?—I can tell you. The total number of pensionable officials in the employ of the Government at present is just about 20,000.

53. How many are registered as civil list officers?—I shall get the figures if necessary.

54. We will give you some definite questions later on. Was the expense on the elections very high?—It was three lakhs approximately.

55. You think that the total electorate has an intelligent understanding of what the election was about?—No, Sir. They knew that they were electing somebody to the State Council, and they had some idea of what the State Council was. But we have not yet got a well developed party system in Ceylon at all. The voters had very little to do with the candidate's political convictions. It is a question of personality, local influence, whether they thought he was a good man or not. And naturally they voted for the man they knew rather than one they did not know.

56. What was the electorate before the new system?—It was on a property basis, and the number was about 200,000.

57. And it has risen to 1½ millions?—Yes.

58. Was there any difference in the candidates returned in the old and new Councils?—I have given the matter careful consideration and I should say that outside the town of Colombo, it has on the whole made very little difference. On the whole there are more of the younger men now than we would have got under the old electorate. We have more younger men in the Council than we had in the old Council. Outside Colombo I think it made very little difference. But inside Colombo it made very great difference. For each of the three Colombo seats a labour man was elected who, it is almost certain, would never have got in under the old electorate.

59. Could you tell anything about the population of Ceylon? Is it very largely industrial?—There is no industrial population at all anywhere else in the island except in Colombo, which has a considerable industrial population.

60. *Sir John Kerr:* Can you tell us whether the new constitution was accepted in Ceylon?—That is rather a difficult question to answer. The constitution was accepted by a small majority of the unofficial votes in the old Legislative Council. If you are referring in any way to the increase in the franchise, I should say that the main body of opinion was against that.

61. Was there any party out to smash the new constitution?—Yes, Sir, there was.

62. Were they representing the majority of the voters?—There is a party calling itself the Liberal Party which is opposed to the constitution, and there was considerable discussion before the elections whether they

should boycott the elections or come in and try to reform the constitution from within. Jaffna, or a portion of that peninsula, decided to boycott the elections and those seats remained vacant. But I may say it is quite impossible to say definitely who is or who is not a member of the Liberal Party. A number of members came in with a determination to reform the constitution and the leader of the Liberal Party at the first meeting of the State Council gave notice of a list of 7 or 8 motions with reference to the constitution which have so far not been debated at his own request.

63. The rural population did not non-cooperate?—Except in the Jaffna peninsula they did not non-cooperate. The non-cooperation in the Jaffna peninsula was really the work of the Jaffna Youth League which persuaded the candidates to withdraw their nominations at the last moment. It was an eleventh hour move.

64. Apart from that, was there any complaint on the ground of colour blindness in the elections?—Colour blindness was alleged as a considerable objection but I have not heard of a single instance. I suppose there must have been colour-blind people who went to the poll and they would have put their ballot papers in the wrong boxes. But there was not any reported instance of a colour-blind man going up to the presiding officer and asking for his assistance.

65. Was there any difficulty about the coloured boxes in the evening?—By 5 o'clock it is never dusk. Special precautions were taken to avoid that. Lanterns were put up.

66. *Sir Zulfiqar Ali Khan:* Can you tell me whether there is a large population of Muhammadans in Ceylon?—Yes. The Muhammadan population is about 313,000.

67. Have these people got any special constituency?—No. There is no communal representation at all under the new constitution. One Muhammadan was elected as a territorial member and that was largely due to the astonishing number of Muslim women who went to the polls. Actually in this constituency there are Tamils and Muslims. It is one of the Eastern Provincial constituencies. The Tamil population is slightly larger than the Muslim population and the election was fought unquestionably on communal lines. The Muslim candidate was more successful in persuading the women to register themselves. It was really a surprising number of Muslim women who went to the polls and the result was that the Muslim candidate was returned for that territorial constituency. Apart from that there is one nominated Muslim member. There are 50 territorial constituencies and the Governor can nominate 8 men. He need not fill up the full number. In drawing up the new constitution we were very careful to prevent there being any difference between a nominated member and an elected member. We have got no official *bloc* at all. It is of no importance to the Government that they should vote with the Government. The idea of the Donoughmore Commission was that the nominated seats should originally be used to give representation to the minority communities, but gradually, they hoped, that the members of the minority communities would come to be elected on the territorial basis and it would be impossible for the Governor to use the nominated seats for that purpose. I should emphasize the fact that a nominated member is in no way there to support the Government. He is not removable by the Governor. A candidate once having been nominated will vacate his seat in the same way as an elected member.

68. I understand there is no such thing as *purda* among women in Ceylon? —Muslim men are very very keen on *purda*. It is not Muslim women themselves who are so keen as their men. If I may explain this a little further, there was an Order in Council which made it permissible for the Governor to say that at any polling station reserved for women all the polling agents must be women and we received an application to do

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so in the case of this particular constituency. After an enquiry we decided not to do so, and there was no difficulty. The male polling agents were allowed to go into the polling stations for women.

69. Could you tell me what is the proportion of literacy among women?—I could not tell you the proportion of literacy. It is fairly high. It is not very high among Muslim women.

70. Could you tell me whether the Muhammadans are elected in a joint electorate? There is no reservation of seats for Muhammadans?—No.

71. What is your experience, do they send in a number proportionate to their population?—I do not follow. May I put in this way? It is unlikely that in any other territorial constituency, except this one, any Muhammadan would get a majority. The forecast before the elections was that that was the only constituency where a Muhammadan had a chance of getting elected territorially.

72. But you said that the Muhammadan population is more than 313,000?—It is very much scattered.

73. Has there been any occasion when the Muslims put in a representation?—Plenty. They have sent a deputation to the Secretary of State recently.

74. What was the result?—The Secretary of State, I think I am right in saying, said that their representation would be considered at the next revision of the constitution.

75. Could you tell me please whether you suffer from any paucity of presiding officers?—There was no difficulty about presiding officers. There was the difficulty about the clerical staff and the elections had to go over for three days. About the presiding officers there is not much difficulty. We get Public Works officers.

76. Could you tell me whether candidates are allowed to provide conveyances to the voters?—They are not allowed to hire.

77. *Sir Sunder Singh Majithia:* Is there any official *bloc* in the Council?—No. There are no official members in the Council. I and two other officials are members of the Council, but we do not have a vote.

78. Could you kindly tell me the total number of members of the Council?—There are 50 elected members and 8 nominated members and three officers of State who do not vote but have all the other privileges.

79. Could you kindly tell me whether there are any Muslim members in the Council?—Two, one elected member and one nominated member.

80. *The Hon'ble Mary Pickford:* You said that in the majority of cases you had separate polling booths for women?—(*Mr. Kaufmann*): That was the case. The mixed polling station was very rare.

81. You had women presiding officers in each women's polling station?—(*Mr. Kaufmann*): Yes, and the women assistant presiding officers in some cases where the Muslim population was considerable.

82. And what about the voting clerks? Did you employ women?—Yes. A candidate was also allowed to send one polling agent for every 2,000 voters and occasionally they sent women agents.

83. Women assistant presiding officers were not always provided?—It was not always asked. Where it was the wish of the candidate that an assistant lady presiding officer should be provided, she was provided if there were sufficient Muslim women voters to justify it.

84. To whom do you go for your women assistant presiding officers?—Usually the wives of civil servants.

85. Not school teachers?—We had some ladies from the Education Department, I remember. I don't think we had teachers from the ordinary schools.

86. Was there any difficulty in getting women officers?—No. We employed so few.

87. The polling station was the same for women?—Yes. The cubicle was separate.

88. Can you tell me the percentage of votes that was polled both by women and men?—57 per cent. polled.

89. Have you any means of knowing how many were women and how many men?—I am afraid, no.

90. It is impossible to say whether the women polled in larger numbers in stations where you had separate arrangements?—No, as far as my information goes. It made very little difference. (*Mr. Kaufmann*): Where we had only mixed stations, there the numbers were very small.

91. I take it that all your territorial constituencies are single membered constituencies?—Yes.

92. Do you have more than 2 candidates?—The biggest number was 6. There were 5 in another and 4 in four constituencies and there were 3 in several.

93. There was no confusion in colours when there were six candidates?—No complaint was made.

94. *Mrs. Subbarayan:* Did the women of Ceylon have the franchise for elections to the local bodies before they got the franchise for the Council?—No. This is the first time that they had the franchise for anything. They still, I believe, have not got the franchise on the question of local option.

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95. Could you tell me whether these women came to vote because of their own keenness or because the candidates were anxious?—The educated women were certainly exceedingly keen, very keen indeed. But, I don't think all the ordinary women of the village were keen. They were bought over by the candidates.

96. But the educated women roused the interest of the uneducated women also?—I don't know about that. We have two organizations, the Women's Franchise Union and the Women's Political Union. They unfortunately had a difference of opinion between themselves just before the election which, I am afraid, rather cramped their activities.

97. As women form a large part of the population, I expect the men candidates are very keen on getting the support of women voters and encourage them to go to the poll?—Yes, very often. When a candidate goes round collecting the registration forms he would go to the house of a man and the man may be out in the field and the woman alone may be there. A great many women are caught that way.

98. Was there any difficulty in encouraging the women to go to the booths?—We can judge that from the number that polled.

99. Is it the experience of the Government of Ceylon and of the candidates that unless the candidates get the support of women they will lose?—I should say, certainly. I might mention that in Colombo the Labour Party succeeded owing to large number of women who turned up.

100. There is no doubt that in Ceylon the women used the vote when they got it?—There is no doubt that the women exercised their vote very very freely.

101. Do you think that the granting of franchise to the women has helped them in their advancement and roused their interest in national affairs and given them political education?—It is too early to express an opinion. We have got one lady member.

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102. Elected?—Yes. We have got one elected lady member, the wife of the Speaker. She was elected in a bye-election.

103. Were there many women candidates?—There was none at the general election. She came at a bye-election after her father's death.

104. Her father represented that constituency before?—Yes.

105. Is it a rural constituency or an urban constituency?—It is a rural constituency.

106. Are the transport difficulties very serious as to make it difficult for women to travel about?—On the whole in most of the districts the transport facilities are very good. There are certain districts where they are bad, in certain jungles. Otherwise Ceylon is very well equipped with roads.

107. Economically, too, the women are in a good position. They inherit property from their fathers. During marriage also they get certain property?—I am not very familiar with that.

108. They enjoy ownership of property independently?—(*Mr. Kaufmann*): Yes, they do under the Married Women's Property Act.

109. As regards inheritance, too, they inherit property from their fathers just as their brothers do?—Yes.

110. *Sir Ernest Bennett:* In political questions like this we have to see what the state of the people is. How do you compare the political intelligence of the people of Ceylon with, say, Madras? Do you think that the people of Ceylon are on a higher level than the general population of Madras?—I am not familiar with the general population of Madras. I served in the United Provinces for some time and compared with that I should say, certainly. In Ceylon there is a higher standard of living. The average man is more, even if he is illiterate, educated than a man of the United Provinces. I should hesitate to say so about the villagers in the jungle.

111. Of course, you have not got any problem about castes or depressed classes and so on?—The caste feeling is very strong in parts of Ceylon. It is dying down a good deal. There were very few elections that were fought on a caste issue. But, there is a good deal of feeling between the high and the low castes.

112. The average distance which a voter had to walk to the poll was about 5 miles?—We took 5 miles as the limit of the radius of the polling area. Actually, of course, it might mean more than 5 miles.

113. It may mean 10 miles where the transport facilities are meagre?—That occurs very very seldom.

114. You said that three candidates had been returned by labour. When you speak of labour do you mean those candidates were run by any organised labour party?—Two of them are members of the Labour Party. One of them is independent labour.

115. The Labour Party is in Colombo and is it composed of organised labour?—There is a body calling itself the Ceylon Labour Union.

116. It is a political body and not an industrial body?—It is political.

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117. *Sir Muhammad Yakub:* You have said that the population is composed of men of different castes and communities?—Yes.

118. Are there as many castes and communities as in India?—The number of castes is very much smaller than in India. About communities, the largest community is the Singhalese and the next largest is the Kandyan Singhalese. There is the Ceylon Tamil and then there is the Indian Tamil.

There are the Moors, the Muhammadans and then there is the Burgher community and the European community.

119. Except the Muhammadans all the other communities belong to the same religion or different religions?—No. All Singhalese are, of course, Buddhists. There are the Christians and various other denominations. The Tamils are largely Hindus with a certain number of Christians.

120. You say there is one elected Muhammadan member in the Ceylon Council and he would not have been elected but for the help of his community?—Probably not.

121. Because the Muslim population happened to be large enough, he was elected on account of the votes of his own community?—My experience was that election was fought on the communal basis.

122. Because the voters thought that there was no chance for a Muslim getting to the Council the women also came out in larger numbers to cast their votes?—They did come out in larger numbers. What the reason was, I don't know.

123. There was a sort of crusade because otherwise the man would not be elected without their help?—I can't express an opinion on this. All I can say is that they turned up in larger numbers than one could expect.

124. If there were separate electorates for Muslims in Ceylon you think that a larger number of Muslim members would have been elected?—It depends on the number of separate electorates.

125. If there were separate electorates Muslims would have had a larger number?—Naturally, you would get a Muslim for each separate electorate.

126. Muslims in Ceylon are suffering because they have not got separate electorates?—The Muslims have less representation under the territorial system than they would have had if there were communal seats. It would give them a larger number of members than they have at present, but whether they suffer as a result is a thing on which we should hesitate to express an opinion.

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127. Is there any difference in the qualifications of a voter and a candidate for membership?—The qualification is exactly the same.

128. There is no property qualification for a member or is the payment of some tax necessary or some literacy qualification?—A member must of course be literate.

129. There is no extra qualification?—I shall have to see the Order in Council. My impression is that there is no extra qualification.

130. Have you got any literacy qualification for a candidate?—I find here that every voter can be a candidate for membership provided he can read and write English. He must be literate in English. There are minor differences. For instance, a public servant can vote but he cannot become a member.

131. There is no educational qualification that he should have passed such and such examination?—No. He must be literate in English.

132. *Mr. Basudev:* The actual number of voters on the roll is perhaps a million less than the total number who can claim votes. Can you give me any reason for that disparity?—They do not take the trouble to register themselves. The registration is not automatic or compulsory. No one is registered unless he applies for registration.

133. Is the voter allowed to take the ballot paper out of the polling station?—No, it is an offence to do so under the electoral law.

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134. *Mr. Raman Menon:* Do I understand you to say that the members of the State Council are, in general, people elected from their own districts?—I had not been asked that question. In general, yes.

135. Is there any residential qualification for a candidate?—No.

136. Is there any limit to election expenses?—Yes, it is 30 cents per voter subject to a minimum of, I think, Rs. 7,500 or an amount equal to 30 cents, whichever is larger. It is the minimum—maximum, so to speak.

137. Are there organised Trade Unions in Ceylon?—No. There are one or two unions but I should scarcely call them organised.

138. In regard to Europeans, apart from the member for Rajapura, have any other Europeans come to the general constituency?—Yes, there is one European member elected for a planting district.

139. Is he a large employer of labour in the district?—He is. I am not aware of the size of his estate. He is one of the largest (by no means the largest) in that particular district.

140. Is he a proprietary planter?—Yes, actually he is one who takes great interest in the district, helping the agriculturists. He is rather a country squire.

141. Are there any Europeans who have been nominated?—Four; that is the maximum.

142. Were they nominated as useful individuals or in any other sense or capacity?—They were nominated: I won't say nominated to represent certain interests, but they were selected from certain interests. One is a planter and one is the present Chairman of the Chamber of Commerce; and the other two are both commercial men with interests, of course, in the agricultural industry.

143. Were bodies like the Planters' Association and the Chamber of Commerce represented in the old Legislative Council before the general election?—There was a planting member.

144. Was there a representative of the Chamber of Commerce?—There was a Commercial member, yes.

145. So that type of advantages have all been continued in the Reformed Council?—Yes, to ensure that those interests were fully represented. Bodies like the Chamber of Commerce, the Planters' Association, the European Association and the Ceylon Estates Proprietary Association were consulted by the Governor before making these nominations.

146. *Rao Bahadur Gopalaswami Ayyanger:* Have there been any complaints by Hindus of their not being represented on this new Constitution?—No. You must remember that the Jaffna Peninsula which contains greater number of Hindus has non-cooperated.

147. Small communities have not?—No.

148. Have there been any cases of impersonation at the polling booths?—There have been a few cases of impersonation and conviction in the courts, but there have not been many.

149. Has the new system of elections conduced to purity in the elections?—I think it makes corruption very much more difficult.

150. Kindly tell me the population of the Indian Tamils of Ceylon?—Between 700,000 and 800,000.

151. Have any of their members been elected?—Two; one is now a Minister.

152. How many Indians are there who are not qualified under the dimicile qualification?—It is impossible to say actually: it is large.

153. Most of this population are serving in the Tea and Coffee estates?—Mostly on the Tea estates. There are a certain number employed in some of the Government departments and elsewhere in Colombo.

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154. May I take it that these two Indian representatives are from the planting constituencies?—Yes.

155. You said that each polling station consists of various booths; that is that there are two or three divisions into which the voters are directed?—There may be more than one booth. In each polling station, there would be compartments for 1,000.

156. Do they get through the polling?—We found that they could ordinarily register about two votes a minute or three votes a minute; that is well over 1,000. Towards the end of the day they were very slack but we found no difficulty in getting through the votes.

157. *Mr. Sivaraj:* Can you tell us the constitution of the population of the Indian Tamils in regard to the depressed classes?—No.

158. The Donoughmore Commission says most of the Indian Tamils are of the depressed classes?—I think that is taken to be accurate.

159. Can you tell us what is the number?—No.

160. Out of the two Indian Tamil members, is either a member of the depressed classes?—That I cannot say. I believe they are sons of a head Kangali. I think it is doubtful whether either belongs to the depressed classes.

161. *Mr. Butler:* The villagers were accustomed to have suffrage before?—No.

162. The Ceylon Commission report says so?—Yes, as regards local option.

163. It is therefore no novelty to have suffrage?—No.

164. How was that conducted?—By a show of hands.

165. Was it universal or was there a village Committee in every village?—In every sub-division.

166. And so the voters were thoroughly conversant with the idea of voting?—The voting was by show of hands. We are always asking for an amendment of the Village Committee law. The village committees have not been going on for very long and the voting by show of hands has been a farce. There is no similarity between that procedure and the procedure at a general election.

167. There was no list?—No. The people merely turned up and grouped themselves and it was most terribly difficult to count them; and it is not always possible to say that they were all entitled to vote. People may come from other villages. It is not satisfactory.

168. On your territorial basis are you satisfied that the special interests are represented?—The question answers itself when you look at the constitution of the Council.

169. *The Chairman:* Can you give us a rough analysis of the Council?—There are Tamil seats in the north vacant. They would have been filled but they have non-cooperated. There are 3 Tamil members one of whom represents a purely Tamil district; in fact two of them represent purely Tamil districts; and the third is an independent Labour man in Colombo. There are 2 Indians, I Muhammadan and the remainder are Singhalese.

170. How many of those are elected and how many are nominated?—Those are entirely elected. Out of the nominated members there are 4 Europeans, 2 Burghers, one Indian and one Muhammadan. I am afraid I forgot there are 2 European elected members.

171. *Mr. Butler:* Are you sure that Tamil and Labour are properly represented?—Yes, with the nominated members they are.

172. And without the nominated members?—No, they would not be properly represented.

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173. *Dr. Ambedkar:* What was the necessity for maintaining the literacy qualification?—It was kept in order to ensure that nobody who had already had a vote lost it.

174. Under adult suffrage he would still have a vote?—No; some European members may not have the necessary residential qualification.

175. Government would protect those who do not come under the domiciliary qualification?—Yes.

176. Then that would disappear in time?—No, not necessarily.

177. In the polling booths there are no special means of identifying the voters as being the persons who are entitled to vote?—We have only his word for it unless he is challenged by the polling agent. The Presiding Officer, if he has reason to suppose he is not the man, can make him sign a declaration. If it is a false declaration he is liable to be punished for it.

178. You have no such thing as a ballot paper as we have in India with the names of all candidates appearing on one paper?—No.

179. You hand over to the voter a plain card?—Yes.

180. And he can drop that into any box?—Yes.

181. Does not that system lead to a certain amount of confusion in counting the votes?—They are not mixed up. Every box is locked and sealed; a tape is passed through a couple of holes and brought over and sealed on the outside. For the purpose of counting, that box is opened in the presence of the candidates and all one candidate's votes are counted before the next box is opened. They are sealed and marked and put into a packet.

182. And put back into the box?—No; they are taken out and stamped with the person's name on it.

183. Before it is counted each card is stamped?—The ballot box is brought out and opened in the presence of candidates and each paper is handed to the clerk and stamped with the name of the candidate. There is one Officer who examines it and sees that it is our proper ballot paper. There are separate bunches; each bunch has a separate mark. He scrutinises that and then they are tied in bundles and kept together in one particular box under the eye of the Returning Officer.

184. On the paper there does appear some sort of mark to show it is genuine?—Yes. One mark is put in the counterfoil and given to the voter and the other is retained.

185. What test do you apply for ascertaining that he has the English literacy?—I have never known of a test being applied.

186. The mere fact that he says he is literate is sufficient?—It can be challenged. We never set them an examination. You must remember that the standard of literacy is pretty high.

187. There is no specific test?—No; he must be able to read, write and speak the English language. I do not think any candidate has ever been asked whether he could read, write or speak.

188. *Lord Dufferin:* In the polling for women, when it is done in the day are they any slower?—No, they are equally quick.

189. You never have two elections going on at the same time in Ceylon? You don't use the same machinery for the two?—We were carrying out on each of those days elections in two different constituencies. I actually had six elections to conduct.

190. You don't have the Council voters and the Assembly voters at the same time?—We have only got a single chamber.

191. That would make it more difficult. It would mean that the Presiding Officer would have to take a more active part in helping the voters, once here and then on to another set and back again?—That would complicate matters.

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192. You lay stress on the oath of secrecy which your presiding officers take?—Yes, and all members of the staff.

193. Do you think that in India where you have to hold two elections at the same time, if the Presiding Officer takes the oath of secrecy it will sufficiently preserve the secrecy of the ballot, if he remains in the polling booth all the time in order to help the voters to distinguish between the two sets of ballot boxes?—I am afraid I should not be prepared to express an opinion on that.

194. You do see the difficulty?—Yes.

195. Do you think an Assistant Presiding Officer is absolutely necessary?—He is very useful. You do have your two clerks heavily engaged. You have no sort of direction cards to tell them where to go and the Assistant Presiding Officer being a man of intelligence does whatever is necessary to help these people.

196. How did you apply the test of literacy to the voters in the old days?—I doubt if the test was applied. I am not sure, but I presume it was left to anybody to object to them.

197. It was left to the agent to say?—(*Mr. Kaufmann*): I have been present when new names have been added to the old list and I have heard the objections and have dealt with them.

198. How is the original list formed?—I don't know.

199. *Mr. Chintamani:* Will you kindly tell me how long your constitution has been in force?—From July 9th last year.

200. Can you say whether in this short period the anticipations of the Donoughmore Commission with regard to franchise have been fulfilled?—Can you tell me, Mr. Chintamani, what particular anticipations you refer to. I should say quite definitely that it has resulted in Labour getting a representation which it did not get before. I do not want to give the impression that there is a large Labour problem in Ceylon because there is not; but labour—industrial labour—has got representation which it had not before and I think measures for the relief of unemployment have been taken which would not have been taken in the old Council. I do not want to express an opinion whether these measures are judicious or not but I think it is certain that the measures taken would not have been taken by the old Council; and in general I should say that the increase in the size of the electorate has made members as a whole (whether members of the Labour party or not) take, possibly, a greater interest than before in what may be termed " the under-dog ".

201. What effect have their recommendations had with territorial electorates? Do they properly, or otherwise, represent the minorities?—Well, they anticipated a gradual progress. It was not anticipated that it would happen in the first election but in course of time.

202. Has indirect election ever been in force in Ceylon?—Not in modern times.

203. You said that in Ceylon there is only a single chamber. Can you say whether you felt the need for a second chamber in Ceylon?—I am afraid I would rather not answer it.

204. You have given us the benefit of your views. Are we to understand that they are your personal views or the views of your Government?—What I have already expressed relate to matters of fact. I scarcely expressed any views. If I have expressed any views, they may be taken as personal.

205. Can you say whether the Ceylonese people would share such views as you have expressed?—As regards the success of the method adopted, I would say most certainly.

206. Would you also mind telling us whether your work in Ceylon has been confined to towns or has extended to rural areas?—It is confined

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to Colombo. I went to Ceylon as Colonial Secretary. I have not got first hand knowledge of rural areas.

207. Would you have any objection to the publication of your opinions?—I cannot at the moment recollect anything that I have said which is sufficiently indiscreet that I would prefer it not to be published. One expression I used which I would rather qualify now. On the question as to whether the voter knew what he was voting about, I answered with a blank negative. I would rather prefer it not to be published. I would rather qualify it.

208. *Mr. Miller:* What was the system of voting before the new suffrage?—It was the system in which the ballot paper was marked, and the votes counted accordingly.

209. Are there depressed classes in Ceylon?—Yes, to a very moderate extent up in the north.

210. Have they any representation in the Legislature now?—The districts in which they exist are not represented at all because they boycotted the elections.

211. I think you said that the European Association nominated some Europeans for the Legislature. Is it so?—The four European members were not actually nominated by the Association. But we consulted the association in the matter.

212. So that you consider that the Europeans should have representation as such apart from representation through the general electorates?—I think it is the industries that need representation rather than Europeans as such.

213. But you consulted the European Association?—Yes.

214. It is a political body?—Yes.

215. The members in the Council now are members of the European Association?—They are. But there is nothing in their membership which implies that they represent the European Association.

216. *Mr. Tambe:* What was the percentage of voters who voted before the new constitution was introduced?—I am afraid I cannot tell you.

217. *Khan Bahadur Aziz-ul-Huque:* I take it that in reply to our Chairman's question you said that the franchise is entirely on a territorial basis, and you have no special representation of the landlords, the university, Europeans, Trade and Commerce, as such, in your Ceylon constitution. So far as election matters go, you would not recognise the interests of any classes?—There are 50 territorial seats and 8 nominated seats. There are no communal seats, no university seats, no landlord seats.

218. Is the problem of landlord *versus* tenant acute in Ceylon?—Not so acute as in India.

219. You have just given us the idea that the Mussalmans are rather scarce in Ceylon. Is that right?—No. They are in the eastern province and a part of the northern province. There are considerable numbers of them elsewhere, but they are very much scattered.

220. Your opinion about the last election is that so far as that constituency is concerned in which a Mussalman was returned, the election was fought decidedly on a communal issue?—I should say so.

221. Is there any indication that this communal issue will be discounted in the future elections, or are the future elections likely to be fought on the same lines in that particular district or part you speak of?—I must say that certainly they will be fought on the same ground.

222. How many towns are there in Ceylon?—That rather depends on your definition of a town.

223. Have you any municipalities there?—Three municipalities.

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224. How many towns are there with more than 5,000 population?—(*Mr. Kaufmann*): Quite a large number. There are three municipalities and a number of Urban District Councils.

225. What was the maximum number of candidates in any one constituency?—Six.

226. What are the general classes that come to the Council? Are they lawyers, landlords, planters? What are their vocations generally?—I could not tell you without looking at the list as to how many lawyers and others there are. But there are a considerable number of lawyer members. We have two or more doctors, an *ex*-Chancellor of the Supreme Court.

The Chairman: Shall I read out the list? Two engineers, one staff master, two retired gentlemen, two doctors, one bank shroff, one priest, one civil service man, 23 lawyers and 13 landed proprietors. I got it from the State Council List, from the "Ceylon Daily News".

227. *Major Milner:* Would you say that the introduction of adult franchise has given great satisfaction to the people of Ceylon?—Yes.

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228. In your view would there be any material difference between the general sense of discrimination exercised by the adults of Ceylon as compared with that which may be exercised by the adults in India?—I think there would be this difference that in India the constituency would be very much larger and the possibility of the candidate being known is less. The percentage of voters who know something of the candidate personally would probably be smaller.

229. Would that affect the general horse sense?—I may say distinctly it is difficult to exercise horse sense about a man of whom you know nothing.

230. You think there would be much greater difficulty in bringing even those very general issues before the people?—I should say the larger the constituency the greater the difficulty, and I would say that it is not a question of bringing general issues before the voter. It is a question very largely of personality. I could say quite definitely that in a majority of cases in Ceylon there was no definite political issue in the minds of the majority of voters.

231. You say that personality would count rather than political issues?—Yes. I think I have read something on this matter in a report, from which I may quote. It says that scarcely any voter voted for a policy. Most of them voted for the person whom they liked on account of his character, record, influence, community, caste or religion, a few exceptions notwithstanding. Those were the various things that would be taken into account. I do not mean to say that caste or religion plays an overwhelming part, but it is a man's character and influence.

232. Except for the fact that a larger number of people would have to be given that information, would it make any difference between adult suffrage over a large area and franchise given to a restricted number of people also extending over the same area?—Except that, as I presume, the restricted class would have a wider general knowledge. They are people who are more likely to know something about the man.

233. Not necessarily, surely?—That class would be more likely to have knowledge of some general issue and to be influenced by what they were told were the views of the candidate.

234. All that depends on the qualification attached to that restricted class?—Yes.

235. By having adult franchise you get away from a good many administrative difficulties in the matter of qualifications, those who should go on the roll and so on?—Unquestionably.

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236. Is there any registration of births in Ceylon?—Yes.

237. For how many years has it been in existence?—For a great many years.

238. You had no difficulty in working adult franchise in ascertaining the age of a man?—There would be very little difficulty in deciding any objection on that score. We do not ask a man when he applies. The facts stated in the application for registration are assumed. But the registering officer has the power, of course, to make an enquiry if he has reason to doubt the facts.

239. You publish the list, and the agents of the candidates presumably take objection before the authorities in any cases in which the required qualification does not exist. Is it not so?—Any person who is entitled to register his name can object. I may say that in the case of one particular class of people, enquiries were made. It was the case of the Indian Tamils who claimed a domiciliary qualification. Enquiries were made as far as possible to ascertain whether they had a *primâ facie* claim.

240. There is no difficulty in ascertaining about those who are on the register?—No. I may say the number of objections was very small indeed.

241. You have had only one election under the new constitution?—Yes.

242. Do you imagine that as time goes on, the electors would be better acquainted with the general issues, procedure and so on?—Yes. But there was very little difficulty this time. The smooth working of the machinery was remarkable and it was very much smoother than any of us anticipated it would be.

243. What is the average area of a constituency in Ceylon?—It varies very considerably.

244. Was there any difference in the number of people who went to the poll as between urban and rural areas?—The percentage was higher in the rural areas, I think.

244A. On the matter of staff you have not said how many policemen would be attached to a polling booth.—In my particular area the police were kept outside the polling station, merely to deal with traffic on the roads. Outside we keep the enclosure absolutely clear so that there may be every facility for the voters.

244B. You found that satisfactory?—Yes.

245. In England usually there are two policemen directing the people round.—We had our direction clerks to assist the voters.

246. Do you pay presiding officers and polling clerks something for their day's work?—As overtime a small amount is paid to the clerks. The lady assistant presiding officers were given a fee but nobody else. The others are given only the ordinary travelling allowance.

247. With regard to presiding officers, are they all civil servants?—They are civil lists officers or gazetted officers.

248. How far down the scale do they go in point of position or salary?—We actually take almost all. Perhaps a few are omitted. But, generally speaking, we call on anybody among them.

249. You do that for three Saturdays in succession?—Saturday, Wednesday and the next Saturday. There is a point I had not made clear before. We had a presiding officer who presided on Saturday, somewhere else on Wednesday and at a third place on the next Saturday.

250. At what periods are your elections held?—Once in five years.

251. You do not anticipate any difficulty with regard to the disorganisation of work by taking practically all your officials for this work?—Not at all serious.

252. Supposing you wanted additional presiding officers, would there be others available? Honorary magistrates could be utilised?—We always keep certain reserves.

253. Can you give a comparative list of officers, as compared with those in India?—Yes.

254. With regard to registration, the only objection or complaint you have is that political parties organise and engineer registration in bulk?—And I should say that it is quite possible that there was a considerable amount of duplicate registration. I have to mention one point in that connection. In the first instance the registration application form contained a statement to the effect that the applicant for registration had not previously signed any application form and there was a note on the back of the form saying that anybody who made a false statement would be liable to penalty. The candidates very strongly objected to this because they thought that the mere inclusion of a penalty on the back of the form would frighten many people from applying for registration. So we finally approved an altered form in which he may say either that he had not signed a form previously or that he had sent in an application previously but received no acknowledgment. This made it possible for a person to apply for registration possibly three or four times, and it would be impossible to prove that he actually received an acknowledgment and there was a considerable amount of duplicate registration. I think nearly 5,000 duplicate registrations were discovered in Colombo alone.

255. Normally there would not be any objection to duplicate registration. Your objection was that the political parties got hold of the voters. Suppose you organise registration on a more geographical form, by streets, as it is done in villages. Could you not get over it?—There are numbers of cases of names in which you get duplication. It is impossible to be quite sure that you avoided duplicate registration altogether.

256. Even though you have the system of registration, there are quite a large number remaining unregistered?—That is so.

257. What is the percentage of those who have not been registered?—About 60 per cent. of the total number of persons who should have been registered, have not been registered.

258. Would it be possible to make it obligatory on the electors to attend some Government office and sign in an appropriate form?—It is going rather too far to make it a penal offence not to register oneself.

259. I am not suggesting that. Your main objection to this was that political parties organise the people and get papers signed by them?—Yes.

260. What would happen if the electors were made to attend at a Government Office?—That would be very strongly objected to on the ground that it would be preventing people in remote places from registering.

261. Can you suggest any means whereby the bulk of registration might be done away with?—The only means that we can think of is to make registration automatic as it were.

262. Has there been any complaint that registration has not been done automatically?—The Donoughmore Commission decided that it should not be. There was a considerable demand on the part of the candidates that it should be done automatically.

263. Has that demand died down?—I have heard nothing of it since the last election. It is quite possible that it will reappear before the next elections.

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264. With regard to facilities for women voters, I understand that there was provision for this only when there was a demand from the candidate?—

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Generally these were provided only at places where there was a large Muslim section.

265. *The Chairman:* Do you mean to say that there were separate polling booths?—In cases where the number was very large there were separate polling booths.

266. *Major Milner:* For women as distinct from Muslim women?—There were separate voting compartments for women always and in some cases there were separate polling stations.

267. On what basis is a separate polling station provided?—(*Mr. Kaufmann*): It is a question of numbers. Wherever the numbers justified it, there were separate polling stations for women.

268. You did that without any request from anybody?—Yes.

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269. Now you have a number of special interests represented by nominated members?—Yes, there are 8 nominated seats.

270. And labour is not one of these special interests?—No. There was no necessity for it.

271. Why not?—Because there are three members of the Labour party in the Council and one independent labour member.

272. Is it not laid down by law as to what nomination there shall be?—No.

273. By way of reservation?—The Governor is allowed to nominate up to eight members and he makes that nomination after the final result of the election is known.

274. In that way he will redress any sort of balance that may have to be made up?—That is the idea.

275. There is only one labour member representing Colombo?—There are three in Colombo and one from outside Colombo. There are other members also who, though they are not calling themselves members of the labour party, have taken considerable interest in labour organizations in the past.

276. That may be, but the members of the labour party properly so-called are 3 in number. Are they not?—There are three members of the Council who call themselves members of the Labour party and one independent labour member. When I speak of the Labour party, I speak of the party which calls itself the Labour party. I mean we have not got really fully developed parties yet, of any kind.

277. There are, at any rate, three labour members. How many members are there who might be said to be representing capital? Would it be fair to say that the other 47 represent capital?—No. There are 23 lawyer members in the Council.

278. Well, as a rule do they not represent capital?—I would say, not. I would say, one or two lawyer members are exceedingly keen on labour questions.

279. You referred to the group system which I think has been in vogue in some villages. Would matters have been improved if there had been an electoral list and they were grouped in geographical areas?—That is under consideration. It presents great many difficulties. But we are considering whether it would be a good thing to arrange for lists of voters as an alternative to the present show-of-hand system.

280. *Diwan Bahadur Ramaswami Mudaliyar:* Are there urban constituencies among the 50 territorial constituencies?—Most of the urban district councils are parts of a general constituency.

281. That I understand. I suppose you have not picked out a municipality or an urban district council separately?—There are three constituencies which are practically wholly within the Colombo municipality.

There are two which are entirely within the Colombo municipality and one which is part of the Colombo municipality and the neighbouring urban district council.

282. But, barring Colombo, there is no urban constituency at all? They are mixed up with the general rural areas?—There are some which are purely urban.

283. With reference to the nominations of candidates for election, what is the interval between nomination day and election day in Ceylon?—Not less than 4 weeks and not more than 8 weeks.

284. Am I to understand that nominations for different constituencies can be made on different dates?—No. There is only one nomination day for the whole island.

285. You have fixed one single day for nomination for the whole island, but you are taking 4 to 8 weeks for arranging for the elections afterwards?—It varies with the places. It could not be less than 4 weeks and it should not be more than 8 weeks.

286. May I take it that the allotment of colours to candidates is done after the final withdrawal of candidates who have been nominated?—It is done when the nominations have been completed.

287. What is the time given for the withdrawal of nominations?—No candidate can withdraw his nomination after 1 o'clock which is the time fixed for the receipt of the last nomination paper.

288. I do not know whether I am clear. According to our electoral rules, a certain time is allowed for the withdrawal of such of the candidates as are inclined to do so. The final list of valid nominations is only published thereafter. Am I to understand that there is no such procedure in Ceylon?—No.

289. When is the scrutiny done?—Immediately after the nomination.

290. Am I to understand that nominations have to be made within a particular time on a particular day?—Between 10 and 1.

291. Soon after 1 o'clock scrutiny of valid nominations is made?—What do you mean by scrutiny of valid nomination?

292. The returning officer receives the nomination papers from candidates?—Yes.

293. He then has to make up a list of valid nominations. Has he not got to do that?—Directly a nomination paper is received, he has got to paste it up outside the office room.

294. When does he declare whether a nomination paper is valid or invalid?—I should have to just look up my papers to answer this.

295. I am only desirous of knowing whether the colours are allotted to the candidates after the final list of nominations?—After the list of nominations has been made out.

296. Is there any objection to any particular colour being allotted to any party as such apart from individual candidates? Has any such occasion arisen or, if it arises in future, will there be any objection to it?—It is entirely left to the returning officer. The candidates are allowed to choose their own colour if they want. If any candidate wants a particular colour the returning officer will let him have it unless another candidate wants that particular colour.

297. But if a party is running a number of candidates and instead of each member of that party applying to his returning officer to allot him the colour which his party might have decided upon having, cannot that party apply to the Chief Secretary, for instance, to allot all the members of that party the particular colour they want?—No.

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The Chairman: It is not occurring in England.

(*Sir Bernard Bourdillon*): The only person who can allot a colour is the returning officer.

298. *Diwan Bahadur Ramaswami Mudaliyar:* May I know whether the agents of candidates are seated in the polling booths?—I have got a plan* which I can hand over.

299. As regards Lord Dufferin's question about the oath of secrecy for a presiding officer, you do administer the oath of secrecy, but neither the presiding officer nor his assistants are really in a position to say how the votes have been cast?—No.

300. Except to a slight extent when the presiding officer, for purposes of check, goes to the cubicle?—Yes.

301. Suppose there were Council elections and Assembly elections held together, by having one ballot box to the right of the presiding officer for the Council elections and one ballot box on his left for Assembly elections and the voters directed to go to one or the other. Would not this get over any difficulty?—I should say so.

302. Are there any permanently settled estates in Ceylon?—We have no land revenue.

303. Therefore the question of landholders as such does not arise there as a separate interest?—There are any number of privately-owned estates.

304. You said that Rs. 3 lakhs was your election expenses. May I know the total revenue of the island?—About Rs. 8,30,00,000.

305. Are there any Anglo-Indians in Ceylon?—There is the Burgher population which is supposed to be either of pure or mixed Dutch descent and there is a small Eurasian population.

306. Do you know their total number?—No, but their number is very small.

307. *Mrs. Paul Appaswami:* You have women gazetted officers in Ceylon and you are not appointing them as presiding officers in women's polling booths?—They would have been if they were available in the districts where they were wanted. Most of the lady gazetted officers are, however, employed in the Medical and Educational departments in Colombo. It is very likely that all the available ladies would have been employed.

308. Do you think there is much chance of a woman being elected to the Council?—There is one lady member elected to the Ceylon Council.

309. Do you have any reserved seats among the nominated seats for more women?—We have not so far nominated any woman.

310. *Mr. Muthiah Mudaliyar:* You said that there was duplication of registration of 5,000 voters in the Colombo area?—About that.

311. What is the total number of voters in that area?—In the three Colombo constituencies the total number of registered voters altogether was about 130,000.

312. And you think that about 5,000 of them or 4 per cent. of the total number was duplicated?—Yes.

313. You say that 1,600,000 are enfranchised on the whole?—Duplications would be considerable. They were eliminated before arriving at the total number. It is impossible to say what number of duplications there were. About 5,000 were detected in Colombo before the list was made up.

314. The adult population may be taken to be roughly half of the total population and it comes to about 2,500,000?—A little over 2½ millions.

* Not printed.

315. About 1½ millions are registered?—The number not registered would be about a million.

316. These million voters are not very keen to go on the electoral roll?—They do not care about it.

317. You say that the candidates press them to get registered?—Yes.

318. Supposing it is not done, what would happen?—Their number would be very small.

319. In answer to a question by the Chairman you said that the voters may stay inside the cubicle too long. What would they do inside?—There was one instance where probably as a result of a long stay a wedge was found put in the ballot box. There were one or two instances where the ballot papers had not been put into the box, but put on the top of the box.

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320. For a polling area there are 500 or 600 voters?—Yes.

321. Do you expect the candidates' agents to be able to identify all the voters?—No.

322. If false personation takes place, will it be possible for the candidates' agents to find it out?—The fact will be noticed and the danger realised only when the right man turns up afterwards.

323. How can you detect these things in time? A wrong man may come any number of times and escape detection?—If a wrong man comes two or three times I would expect the presiding officer, if he is an intelligent man, to get him.

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324. *Mr. Rutherford:* What is the area in Ceylon which corresponds to one Indian district?—There are nine provinces.

325. These provinces correspond to our districts?—They correspond to what in Northern India are called divisions. We have nine provinces or 17 districts.

326. 17 districts with a population of 5½ millions compared with the 47 millions that we have?—Yes.

327. On the average, how many gazetted officers are there in each district?—It would vary considerably. In the provincial headquarters there will be Government Agents and one or two assistants, a provincial engineer, a provincial surgeon and a few agricultural and irrigation officers.

328. Would you give me a rough estimate of the number of these gazetted officers?—I cannot say anything offhand. There will probably be about nine to ten.

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329. In the provincial headquarters there will be more?—If a district is a headquarter district there will be more. In provincial headquarters there will be about 20.

330. You say that you have about 20,000 Government servants in Ceylon?—Yes.

331. Is the rate of pay higher there than in India?—20,000 includes all the clerical services. Out of that number, about 5,500 are teachers and about half of the remainder will be educational, medical and police officers.

332. Will all these 20,000 officers be drawing more than Rs. 50 each?—It is difficult to say that.

333. In this presidency we employ as polling officers men drawing Rs. 50 and even less?—A considerable number of this 20,000 are police officers.

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334. Can you give us an idea of the number of officers of all grades available for this work?—I could get that information if you let me know definitely what you want. But there is no doubt that the number of officers available will be more there.

335. You have separate boxes for women?—Yes.

336. It would be possible then to detect the proportion of females?—Yes.

337. Do you have a system of identification there?—No.

338. If a voter comes and says that he is so and so, who is there to identify him?—The village headman was deliberately kept out of the election as far as possible.

339. So there is no system of identification of voters?—No.

340. And the presiding officer has only to exercise general supervision?—He has no definite duties.

341. *Diwan Bahadur Venkatnarayana Nayudu:* Who gets these 5 nominated places?—2 seats are filled by Burghers, 1 by a Hindu and 1 by a Muhammadan.

342. For the preparation of electoral rolls, village officers have been excluded?—Yes.

343. And all these rolls are made up at the instance of the respective candidates?—That is the exact thing.

344. If the district and village officers were engaged in the preparation, etc., of the roll it would not add to the administrative work or any extra expenditure?—It would add to the administrative work. If that was done by the officials, they would have to go round to register everybody. It would add considerably to the work.

345. Would it not add to the smooth working of the system of voting if that expenditure was incurred by Government?—It was the definite recommendation of the Donoughmore Commission that that should not be done.

346. You said that a voter will take about 2 minutes to record his vote.—I don't think so. I said that the polling officer could issue two to three ballot papers in a minute.

347. May I know the total number of votes recorded at a particular polling station by an officer? My idea in putting this question is to know how many sections a chief Polling Officer would be able to administer?—We regarded three units of a thousand as normal—about 3,000 votes.

348. Working between 8 A.M. and 6 P.M.—From 8 to 5.

349. With an interval of one hour?—No.

350. You do not have an interval?—No.

351. There is not much rush at the end of the operations?—There never was.

352. The number of people coming in was steady?—The rush was always in the morning. There was some in the afternoon, but in the last hours there was practically no voter.

353. *Mr. Souter:* I understand that you have property qualification for the vote still?—Yes. I don't know how many people were registered under the property qualification, but they were very very few.

354. How do you provide for a joint family? Does more than one member have a vote?—It is an individual property qualification. As a matter of fact that property qualification is practically of no importance whatsoever.

355. *The Chairman:* If there is a joint family with a big property naturally one man will be registered and the rest would go in on the ordinary basis.—If he was anxious to have more than one vote there is no doubt that part of the property will be made over to the other member.

29th February, 1932.] Sir BERNARD BOURDILLON & Mr. H. P. KAUFMANN. [*Continued.*

356. *Mr. Souter:* I wanted to know whether one man would be registered or every man in the family would be registered?—I am afraid that question does not arise to the same extent in Ceylon.

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357. When do you revise the roll?—Every year. There again, it is simplified by the fact that it is not the duty of the revising officer to add names. It is only his duty to cut out names, those who have died or have gone elsewhere. If any person wants to be registered, he has to apply.

358. Does the cost that you gave include the cost of the extra staff?—No extra staff is employed.

(*Mr. Kaufmann*): I might say that we have protested that it is not possible to do the work with the ordinary staff. This is a question which has not been settled.

359. Have you got any provision in your rules for the dissolution of the Council before the normal period?—Yes.

360. What is the provision?—The Governor may dissolve the Council any time, and he must dissolve it when there is a vote of no confidence.

361. As a consequence there will be a fresh election?—Yes.

362. You said you have no particular arrangement about identification?—No.

363. Suppose a second man comes up and he says I am so and so and my number is such and such. The polling officer looks up the list and finds that man has already voted?—He is given what is known as the 'tender' vote and those ballot papers are of a different colour. They are collected and kept separate for use in the event of an election petition.

364. As regards the Governor's right of nomination, is that limited by an instruction issued to him?—No.

365. He has got perfect liberty?—Yes. The only limitation is that he cannot nominate more than 8 but he need not nominate the full number.

366. Does he nominate before or after the election?—After the election. He may nominate at any time.

367. Even before the election?—He may if he wants to, but ordinarily he would not. It is important that he should nominate, if possible, before the first meeting of the Council in order to enable election to the Committees to take place and it is just possible that the nominated member will be selected as a Minister.

368. Could you tell me if there was any candidate who did not stand for election in the hope that he was going to be nominated?—I have one case in my mind where it might have possibly been the case. There was one case definitely in which, I know, an European candidate was going to stand for election but he did not. He did a certain amount of electioneering. The doctors advised him that his health was not good enough. He was subsequently nominated.

369. As regards the appointment of officers for the polling work, have you considered the question of the appointment of non-officials?—It would be very expensive.

370. Is that the only reason?—I think, the general feeling was that the employment of officials was more satisfactory.

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371. *Rao Bahadur Gopalaswami Ayyangar:* Do you charge any fee for registration?—No.

372. Do you insist upon candidates making any deposits?—Yes.

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373. What are the conditions for the forfeiture of the deposit?—If a candidate fails to poll ¼th of the total number of votes. Rs. 1,000 is the deposit.

374. As regards the system of coloured boxes, we are proposing to experiment with that system. You said that you had no cases of colour-blind people?—I can't say. No cases came to my notice.

375. Are there any rules for the colour-blind people. How do they drop the card?—The Presiding Officer can drop it in.

376. In the presence of the candidate?—It would be in a cubicle. Nobody is allowed to go in there.

377. Candidates' agents are not allowed to go in?—No one except the voter and the presiding officer is allowed to go into the polling booth.

378. May I know the reasons which compelled you to adopt the coloured box system. What was the condition that existed previously?—The old electorate was literate. We were dealing with a 50 per cent. illiterate electorate.

379. There was no provision under the old rules which compelled a polling officer to record an elector's vote when he said that he could not read and write?—No.

380. We have got a system in which there is a provision that if a man goes to the polling officer and says that he cannot read and write, the polling officer ascertains his wishes, as to which candidate he is voting for, and in the presence of the candidate and his agent, marks the ballot paper according to his wishes and puts it in the ballot box?—We had no illiterate voters under the old franchise.

381. You say that a polling officer could issue about 2 to 3 ballot papers a minute under this system. I should like to know what was your experience under the old system of marking the ballot paper?—I am afraid I can't give you the exact number. It would be very much lower.

382. You have got elections in the municipal areas?—Yes.

383. Have you got in municipal areas anything like multi-membered constituencies?—Yes.

384. Do you adopt this coloured box system in municipal areas?—No. At present they have got a restricted franchise. They have got some educational qualification.

385. May I take that a very much larger proportion of the population has been enfranchised for the Council purposes than for municipal and local board purposes?—One is about 4 per cent. and the other is 100 per cent.

386. *Mr. Sivaraj:* In your State Council have the Indian and European Commerce been able to secure a place through the general constituency?—No. But one Indian elected member is to a certain extent connected with commercial interests.

387. The elected member may put forth views which may not be acceptable to the merchants outside. Do they advocate the cause of the merchants irrespective of other causes?—You mean to ask if an elected member elected to represent commercial interests would represent those interests as well as a member nominated to represent those interests. I should say so. But, I should like to make it clear that even nominated members do not consider themselves to be merely representing the interests for which they have been selected.

The Chairman: We can't go into those details. We want to know from them about their franchise. Will you please restrict yourself to that?

388. *Mr. Sivaraj:* I wanted to know whether he considers special representation for commerce and trade necessary?—I consider it most desirable that they should be adequately represented.

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389. What is the time allowed for election in the event of a sudden dissolution?—The election has to take place within two months of dissolution.

390. *The Chairman:* How long do you take for the preparation of the roll, etc.? What is the total time taken to set the machinery functioning up to nomination?—Six weeks is the period during which voters have to send their applications for registration. The time for the certification of the register is not actually laid down, but it is about 3 months.

391. If you were responsible for registration how long would it take?—It will take longer.

392. It would take six months?—It would certainly take another month or six weeks.

393. You have no difficulty in getting buildings for the polling stations?—We have temporary buildings. There is not much difficulty.

394. Have you got an idea of the cost of election to the candidate?—I don't know what the average cost would be.

395. Are there any tea garden estates in Ceylon?—There is an Indian Tamil population of about 700,000 or 800,000. A large portion of that is on the tea estates.

396. And most of them come on the register?—The total number of Indians who were brought on the register this time was 100,000 and it is rather interesting that the percentage increase in the number of Indians enrolled under the new franchise was slightly greater than the total percentage increase.

397. You said that the politicians objected to the headmen. Why do they object?—Because there was always a good deal of talk that the headmen interfered to help one candidate and put down another. But, I think, we instructed the headmen themselves to explain to the villagers that they were not bound to vote for the candidates who had registered them.

398. How do you take a dead man off the roll?—That will be done by the headman.

399. How can they find out?—We first get our figures from the births and deaths register and mark the names . . . . .

400. There is a register of deaths?—Yes.

401. *Sir John Kerr:* How do you get the information about the change of residence?—From the headman. The revision of the roll is solely for the purpose of eliminating names and not for adding new names.

402. *Major Milner:* Are there any mills, factories, industrial establishments and things like that worth mentioning in Ceylon?—No.

The Chairman: Members may put any question to Sir Bernard Bourdillon about the conduct of the indirect system of election obtaining in Iraq.

403. I understand that the unit is 200 voters for the primary electors?—I think it was 250.

404. Can you tell us how the groups are formed?—They are formed on a geographical basis. In towns, the Mohallas are divided into streets by the Government officials. Then the groups are formed.

405. Who fixes the groups?—The officials.

406. Is the election conducted by ballot or informally?—I think it was by ballot. I have no actual experience of it.

407. Do you know whether there was nomination before or after?—My recollection is that there was nomination for secondary electors.

408. Did the system work well?—It was carried out in, what I may call, a rough and ready fashion.

409. There was no administrative difficulty in working that system?—There was no difficulty and it produced results.

410. Were the results as desired by the people?—Well, there was no doubt that the Government, which was in power at the time the election took place, had a considerable following.

411. By what means?—It is the invariable habit of the ignorant elector to go to the nearest official and ask for whom the Government wanted him to vote. If he had no particular reason for not doing a thing, he will do it. If there was no sort of official business he would ask what the Government wanted him to do.

412. *Major Milner:* I understand that in Iraq the village notables keep the register?—There is a sort of headman system. The headman there is called a Mukhtar.

413. The rolls are made up by these people?—In the first election there was undoubtedly a suspicion that a good many of the names on the rolls were fictitious.

414. They voted by ballot?—I do not know what the method of voting was. I think it was voting by ballot.

415. Who supervises these things?—I am afraid I cannot tell you that.

416. *Khan Bahadur Aziz-ul-Huque:* May I know from you when this system was first put into operation?—It must have been in 1925 or 1926.

417. Can you tell us whether that system is still in vogue or has it been considerably modified?—As far as I know, the same system is prevailing. I do not know of any amendment to the Electoral Law. This Electoral Law is based to a certain extent on the Turkish Electoral Law.

418. *Mr. Tambe:* Did the absence of communal representation facilitate the elections?—There was considerable communal friction.

419. It did not prove to be a difficulty?—No, largely because the communal differences were strongest only between the Shiahs and Sunnis and they inhabit fairly well-defined tracts of the country. The whole of one electorate would be predominantly Shiah or predominantly Sunni. It must be remembered, however, that for the minority communities such as the Jews and Christians there was proportionate representation.

420. Do you think that this system will operate equally well here with separate communal electorates?—It is difficult to say, but I do not see why communal electorates should make any difference in regard to the operation of the indirect system. In what way do you anticipate difficulty?

421. There you did not have to organise groups on the basis of communal electorates. You had geographical areas?—Yes.

422. Suppose you had communal electorates, would you find it equally easy to work the system?—They were not single-membered constituencies. They were 4 or 5 membered constituencies with proportional representation. Take, for example, the Baghdad area, there would be perhaps 4 Muhammadan members, one Jew and one Christian. The four Muhammadans on the top of the polls would get elected, so also one Jew and one Christian. The whole electorate voted for both or all.

423. *Mr. Chintamani:* Are the candidates standing for election to the Council announced before the primary elections? I will explain myself. The groups of primary voters are formed months before the primary election. They may or may not know who the candidates are. What I want to know is whether the primary elections take place a little before the Council election or long before?—The grouping is a fixed grouping. It is not altered.

424. *The Chairman:* Mr. Chintamani wants to know how long before the election of the members is the primary election held?—Quite a short time before it.

425. *Mr. Chintamani:* So that when the primary elections take place they do not know who the candidates are who will be standing?—They have

a sort of general idea as to who is likely to stand. But, as I said, there was no nomination of candidates. The secondary electors will vote for any of the five or six candidates whom they like.

426. I will now put my question in another form: Do you think the selection of a man for the Council is influenced by the wishes of the primary voters?—I should say, only slightly.

427. I should think that the primary voter simply votes for somebody he knows without any idea as to the person for whom the secondary electors would ultimately cast their votes?—I should say definitely that that is the case.

428. *Mr. Butler:* Will you please tell me whether the indirect system was successful in towns?—Yes.

429. It is easy to work this system in towns as well as in the rural areas? —Yes.

430. How do you make the groups in towns?—We have three or four groups in a Mohalla. It is probably easier to group in towns than in the country. But the towns may be prejudiced in favour of the direct system. From the geographical point of view, it would be easier to work the group system in the towns.

431. Villagers have to travel great distances in order to record their votes?— It would never be very great.

432. *Mrs. Subbarayan:* You say that women have taken no part in the elections?—They might have influenced their husbands' votes.

433. *Sir Zulfiqar Ali Khan:* Do the second elections take place immediately after the first?—I cannot say definitely.

434. Will they be held a month after the first?—I should say, it will be less.

435. Do you think that this indirect system will add to the stability of the Government to be formed after the election?—Yes. I think it will lead to stability for the reason which I mentioned, that the Government which was in power before would exercise considerable influence without using any illegitimate pressure on the voting. There was a tendency for the party in power to exercise this influence inevitably.

436. You are aware that in towns the adults outnumber the others?—No. That is not quite accurate. In this connection I may mention that in Turkey before this system was introduced there was conscription and, as people were unwilling to be enrolled for the army, the rolls then existing were not complete.

437. *Mr. James:* Have you got experience of the indirect election?—No.

438. What is the proportion of secondary electors to the total population? —One in 200 of the total number of voters.

439. What is the total population there?—The total population is something over 2 millions.

440. The country then must have an enormous area?—Yes. It is about 700 miles in length and about 300 miles broad in the widest part.

441. That being the case, the system of direct election would be rather difficult to practise?—Yes.

442. I wish to know the arrangements made for communal representation?—Mostly in Baghdad and Palestine there are so many Christians and Jews. These have five or six membered constituencies and every secondary elector writes down six names and, if the number of members to be elected is say, 4 Muhammadans, one Jew and one Christian, the first four Muhammadans, the first Jew and the first Christian topping the list will be declared elected.

443. *Mr. Muthiah Mudaliyar:* In England, Government officials are allowed to stand for election?—Yes. I believe they are allowed to stand, but when they are elected, they have to resign their posts.

444. Do you think indirect election is really consistent with a democratic form of government? You do think it is a good system?—Yes.

445. You think that the direct system of election does not give you a democratic form of government?—No. That is only one broad feature of it.

446. So you do not think that the direct system was decided upon with the idea of giving a democratic government?—I would not say that at all.

447. *Mr. Rutherford:* You mentioned that the population is about 2,000,000. I find, however that in 1924-25 the total number of primaries was 964,000. You said that the number of officers available in Ceylon as polling and presiding officers is considerably greater than in India?—Yes. They are probably two to three times more there.

448. Will you give us a statement from the official records of Ceylon regarding the number of officers there in relation to the population of Ceylon? —I suppose you do not want me to take, for example, the headquarters staff alone. You want the official cadre in the districts together with the population.

449. The total of every department?—Yes.

450. You will give us the figures?—Yes.

451. Will you please exclude the police from the clerks and others?—Yes.

* * * * * * * *

APPENDIX I.

The General Election, 1931.

The conditions in existence when preparations were begun for the holding of the first general election under the new Constitution were remarkable.

The new Constitution did not exist even in draft form; the proposed new Constitution was adumbrated generally in the Donoughmore Report and despatches. But there were many gaps in substance, to be filled as the work of implementing the Constitution in law and fact progressed. The normal plan would have been to draw up the Constitution, including the law governing elections, amend existing laws where necessary and then proceed with the executive work of installing the new Constitution by a general election and otherwise. This, however, would have meant a delay of several years and the heterodox procedure was adopted of framing the new law, of amending existing law and of implementing the Constitution in fact, all at the same time.

It was assumed that the Secretary of State would prepare and issue the chief Constitutional documents, including the election law. Experience proved the necessity of preparing these documents in Ceylon. The election law could not possibly be prepared by any person not aware of local conditions.

In order to avoid delay, it was decided to press on locally with the publication of an Order in Council to cover electoral procedure up to the preparation of the registers of voters, the rest of the documents to be prepared while registration of voters was being carried out. When it had been completed the rest of the Orders in Council providing for polling operations and the Constitution law proper were ready.

The public did not know till the final Orders in Council were published what exactly the details of the Constitution were to be, or the qualifications

of members of the State Council, the details of the election law, etc. The public took a great many things on trust.

In framing the election law novel conditions had to be envisaged. About half the electorate were known to be illiterate. Most of the potential voters had never voted before and there was no execute machinery or trained staff except a small number who had taken part in elections where the electorate was literate, exclusively male and about 200,000 in number as against a possible 2,500,000 in 1931. Moreover, the staff and police available were insufficient in numbers.

My assistant, Mr. E. R. Sudbury, and myself had the same general ideas as to how things were to be done. Superficial, rapid work was to be eschewed and well discussed, well considered procedure devised, as being quickest in the long run and likely to prevent what was to be avoided at all cost, a breakdown in one or more electoral districts with consequent delay and administrative confusion. All contingencies that could be foreseen were to be provided for in advance, as prevention of mistakes was aimed at rather than recovery from them by heroic eleventh hour tours deforce.

The registering and returning officers were given all possible help and guidance by written instructions, plans, etc., and the experience of previous elections was utilised, so far as it was applicable, and registering officers in the field were instructed at Colombo in the procedure decided upon and were afterwards visited by officers from headquarters.

Candidates, Legislative Councillors included, were greatly interested in election procedure, because, *inter alia*, they had no party system or party funds and they had to register their supporters and induce them to go to the polls. Their views were strongly expressed in the Legislative Council and the Government was not allowed to proceed without interference; but by mutual good will divergent points of view were reconciled without incurring unnecessary expense on over elaborate arrangements, while a simple, practicable procedure was devised. The guiding principle of the officers responsible for the election was to keep down expenditure to the minimum and yet to make everything as easy as possible for ignorant voters and to protect them from canvassers and others preying on their ignorance or credulity.

In my opinion the unusual procedure adopted of acting in advance of the law would have broken down had not the officers in charge of the election been working in close contact and harmony with the Attorney General who was drafting the election law.

Electoral Districts.

A Commission defined the fifty electoral districts while the law governing the registration of voters was being prepared. As population was the main test in the delimitation of electoral districts existing provincial and Chief Headmen's administrative divisions had to be disregarded frequently. However, the Commissioners did not divide any superior Headmen's division into two or more parts in defining electoral districts. The result was that the rural people were not confused later when they had to poll. All those resident in a Korala's Udayar's or Vidane Arachchi's division could be instructed to vote at a certain polling station except in a very few cases where owing to their large size superior Headmen's divisions had to be divided into two registration areas.

However, the boundaries of these electoral districts and superior headmen's divisions were not always known on the ground especially where large tea, rubber and coconut estates existed, and *ad hoc* rough and ready definitions of boundaries had to be made on the ground as well as possible. The staff and money needed for scientific definition by surveys were not available and there was no time for such elaborate procedure.

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It is suggested however, that before 1935, an attempt be made if possible to define accurately on the ground the boundaries of electoral districts and of the registration areas within these electoral districts.

As the population of Ceylon in 1931 has proved to be about 5,300,000 and that of Colombo City about 285,000 and as the relative distribution of people does not appear to have been much altered since 1921 it does not seem likely that changes in the areas now set up as electoral districts will be needed so long as population is the main deciding factor.

Registration of electors.

The Donoughmore Commission recommended that "registration of voters should not be compulsory or automatic but should be restricted to those who apply for it". The Commissioners were probably not aware that candidates and their agents in practice carry out nearly all the registration of voters in Ceylon. In my opinion the registration should have been done by the Government Agents, a period being allowed for claims and objections as soon as the Government Agents had prepared preliminary registers of voters. I suggest that this be the system adopted if and when the election law is revised. In fact this procedure will have to be resorted to in the annual revision of registers, unless they are to be left encumbered with the names of those who have died or left the electoral districts concerned.

However, the scheme recommended was embodied in the law and provision was made for applications to register on printed forms supplied free of cost. The problem of the illiterate voter was met by allowing any person over 21 years of age to fill in a form for him. The forms were filled in by candidates' agents as a rule and were full of mistakes and omissions. But if they appeared to be substantially correct they were not rejected. In Ceylon the registration period is turned into a canvassing period and each candidate desires to register as many voters as possible, thereby fondly imagining that he secures their votes.

The law, based on local knowledge, imposed a penalty on those who registered more than once, but the candidates resented this provision and a compromise was arrived at by which those who sent in forms were to receive post cards in acknowledgment, failing which they could send in a second form. This meant a large increase in work for the registering officers and the post cards seldom reached the voter as there is no house to house delivery in the country districts. The address given was frequently care of the candidate or his agent, the post card thus helping the candidate to secure the vote of the voter to whom he showed the official post card. But the greatest evil of this system was that it allowed canvassers to register a voter as often as they pleased, for it was easy to assert that no post card had been received. It is suggested that when the law is amended the sending of acknowledgments for registration forms be not insisted on especially as any person omitted can make a claim at the claims and objections period to have his name inserted on the register of voters. The law should not, in my opinion, promote the exploitation of the electorate.

A month before registration began, however, some 50,000 placards were displayed all over the Island giving simple instructions in English, Sinhalese and Tamil regarding registration and the public were warned not to register more than once. The result was that even ignorant people refused frequently to register more than once and that the "duplications" did not exceed some tens of thousands on this occasion. In Colombo City 4,970 duplicate applications were discovered.

The work at the claims and objections period was unexpectedly light. As about 32,000 persons were registered on the average in each electoral

district and as most of them did not register themselves and were indifferent about the matter, and as the task of lodging claims and objections was too much for the organisation of candidates, few claims and objections were taken. Moreover, a provision of the law made it an offence to lodge frivolous objections. This provision was a boon to all concerned in a country where litigation is freely resorted to to secure success.

Some thousands of objections not based on knowledge of the fact were taken against Indian voters, but were withdrawn in all cases save two, as the objectors were told that exploratory objections might be deemed to be frivolous and vexatious.

The certificates of permanent settlement meant to enable those who were not certain that they had a Ceylon domicile, to secure the franchise was only used by a few hundred Indians. The introduction of the status of domicile as a qualification, especially in respect of nearly 1,000,000 Indians who come and go between India and Ceylon, caused a great deal of perplexity and might involve much unnecessary work and expense in future and lead to the disfranchisement of many Indians if opposition to their inclusion in voters' registers were properly organised. It is suggested that the domicile qualification might be removed when the election law is revised and the provisions about certificates of permanent settlement and that all persons resident in Ceylon for five years or longer be allowed to register, as was suggested by the Donoughmore Commission.

The fifty registers finally contained 157,932 names or about 60 per cent. of the adult persons in Ceylon who are supposed to be about 2,650,000 in number.

There were 12,438 Indians registered in the Indian electorate under the old Constitution. In 1931 the number of Indians registered was about 100,574, an increase of 708 per cent., 38 per cent. of all persons of all communities registered as voters in 1931 were women. Prior to 1931 no woman had a vote.

The greatest credit is due to the Government Printer for printing all fifty registers containing 1,577,932 names and addresses in about three months. His staff worked in relays night and day during this period. Unfortunately he had to employ operators from India to do part of the work and they made many mistakes owing to their ignorance of local names. If the Government Press had not been equipped with modern machinery in 1930-31, the new Constitution would not have been introduced as early as July 9, 1931, and might not have been established by the end of the year.

The remodelling of the Government Press, though long overdue, was in fact one of the expensive tasks required to enable the new Constitution to be introduced and to function properly.

Nomination of Candidates.

When the election law is revised it is suggested that Article 31 of the Order in Council should be amended by altering the words "1 P.M." into "1-30 P.M." to bring that Article into line with Article 28 (2) which allows objections to be taken up to 1-30 P.M.

Polling Stations.

Some candidates tried to induce the Government to dot the country with polling stations as they despaired of inducing the voters registered by them to come to the polls, or of being able to convey them all to the polls should the voters have to travel any distance. The authorities fixed a five-mile radius as a general maximum for polling stations though most voters had to travel a much shorter distance. On the other hand in sparsely populated places they had to travel a longer distance.

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In 1924 there were 132 polling stations for the territorial electorates, in 1931 there were 725 in all and 572 for the 37 contested seats. Most of the recurrent expenditure on elections will be on polling stations and the staff and Police employed thereat, whose travelling expenses, owing to the large numbers employed, will amount to a very large sum. Probably very few changes in the sitting and number of polling stations fixed in 1931 will be required in future, though candidates may press for an increase in the number of stations.

Each station had polling booths, one as a rule for every 1,000 names on the register of voters. Proposals to have a fixed maximum of voters for each station seem to be uncalled for. If the buildings and space are available inside and around the station and if the number of voters living close by is large there is no need to set up two stations instead of one. The real object of the proposals was to reduce the size of the registration areas and to increase the number of the latter each having its own polling station, the distance which voters would have to travel being thus reduced. The proposals regarding the number of polling stations were due to the desire to take the stations to the voters as the voters might not come to the stations. But the objection to this plan was the heavy cost involved and the dearth of staff and Police.

Rent had to be paid for the use of assisted schools and even of Government land given to Clubs at a nominal rent in a few cases. The law, as in England, should prescribe for the free use of such schools, the Government guaranteeing the owners against loss by damage caused by the polling.

The erection of temporary stations was a heavy item of expenditure. In some places this expenditure cannot be avoided, but in Colombo and some other places where buildings exist, every effort should be made to secure their use for a fee. Six temporary stations erected in Colombo cost Rs. 2,880.

There were 1,524 voting compartments in the 37 contested electoral districts. They were necessitated by the system of voting by colours secretly in the compartments. Proposals to have permanent portable compartments, capable of being folded do not appeal to me. Whatever the material used, it would be likely to perish rapidly in some improvised store, while rust would attack hinges. The capital expenditure involved in making such cubicles to be used possibly not oftener than once every three of four years does not seem to me to be justifiable. Temporary cubicles made of bamboo and cadjan or jute hessian and borrowed furniture for polling stations were generally used in 1931. As part of the campaign to dot the country with polling stations, it was argued that 1,000 voters could not possibly be put through a polling booth between 8 A.M. and 5 P.M. The fact that tests proved the contrary had no effect on persons trying to find arguments for the establishment of smaller registration areas. The actual polling proved that where there is no marking of papers, 1,000 registered voters even if they all voted can easily poll between 8 A.M. and 5 P.M. These hours seem to be very suitable and, in my opinion, in the public interest should not be shortened, even though it was found in most cases that the voters could poll in a much shorter time. In 1931 no voter who appeared before 5 P.M. was shut out and no case has been reported of any voter appearing at a station after 5 P.M. Most of the polling stations were practically idle in the afternoon of the polling day.

Polling.

Apart from the detailed instructions issued to the election officials, rehearsals of polling were held to train the staff and the chief officers concerned exchanged views and discussed possible difficulties at conferences, doubtful points being referred to headquarters.

Some 50,000 placards in English, Sinhalese and Tamil giving simple instructions to the public were posted up all over the country a month or so before the polling. They were a great success in educating ignorant voters as to the method of voting, the secrecy of the ballot, dangers of corrupt practices, the difference between registration and voting, etc. These placards largely undermined the malpractices of some candidates and their agents during the registration period including the falsehoods intended to mislead ignorant voters.

Furthermore, the placards informed voters that the election staff would be courteous to them and nothing was more noticeable at the polls than the way in which ignorant voters obviously regarded the election staff as their friends. Voters also realised that whatever promises were extracted from them by canvassers, they were free to vote as they liked when they entered the cubicles.

The friendly, helpful spirit of the staff was reciprocated and the manner in which voters conducted themselves was most creditable. Polling agents also behaved extremely well but were almost completely ineffective as detectors of personation.

The scheme of voting by colours was a complete success. It was impossible to provide primary colours where there were a large number of candidates such as five or six, especially as green and blue could not be both used as these colours are not differentiated in the vernaculars. Moreover, black is strongly objected to. White was placed fifth on the list of colours but some Returning Officers allotted this colour where there were less than five candidates which was a mistake as white is the colour of the paper used at elections. In future there will seldom be four or more candidates as no less than 18 candidates forfeited their deposits in 1931 in 37 contests at the polls.

The almost complete absence of spoilt ballot papers was the result of voting by colours. A very small number of ballot papers were placed in cubicles but not in the ballot boxes. The slots in the ballot boxes were small, the idea being to prevent malicious voters inserting any large or injurious articles in the boxes. These slots should not be enlarged. If colours were painted round the slots it would confuse ignorant voters. In the instructions to the public, voters should in future be told where the slots are and advised not to fold their ballot papers.

As there is a rush of voters in the morning the queue habit is desirable at polling stations, but barriers strong enough to ensure voting in queues would cost a great deal. In my opinion the Police can keep back the crowds and allow voters to enter the polling stations in batches. In fact the Police preserved order excellently on polling days without fuss or provocative procedure.

In future the Senior Presiding Officer at each polling station should have a copy of the complete register of voters for his electoral district, not that part of it assigned to his polling station. This will enable him to direct stray voters who come to his station in error, to their proper station.

There does not seem to be any justification in future for insisting that there shall not be male polling agents at polling stations reserved exclusively for women, where Muslim women voters are to vote. It seems to be reasonable to provide assistant lady presiding officers, even though they have to be paid, as female Government officials working without special pay are generally not available. Muslim women do not object to the presence of men at the stations; it is Muslim men who do so. Muslims who desire to vote should face the publicity of the polls. It is suggested that Article 42 of the Order in Council be amended by the insertion in the declaration on the tendered vote declaration "and I have not previously voted at this polling station or elsewhere at this election".

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When the law is revised provision should be made for the ballot paper account prescribed in other countries. It would be useful to compare the number of ballot papers issued with the number counted. Where this record was kept in 1931 the discrepancies between the number issued and counted were negligible.

Returning Officers naturally desired to hold the polls on Saturdays. The result was an excessive demand on the limited staff available, on the two Saturdays. In future each Returning Officer should spread his polls over eight days relying for the most part on local staff. The eight day period should be ample if week days are freely used for polling. In Colombo City all the polls can be held on the first Saturday, however, as there is ample staff available. By polling freely on week days some saving on travelling expenses can be secured.

Counting of Votes.

It was a mistake to have only one frank for stamping candidates' names on ballot papers at the counting of votes. But it is suggested that when the election law is amended the process of franking candidates' names on ballot papers be eliminated. If the ballot papers in each candidate's boxes are counted before the count of the other candidate's papers begins, there is no need to frank the papers.

The punching of ballot papers is quicker and cheaper than the franking of them on both sides. The die in the clippers should be changed for each general election.

The words " polling agent " in Article 46 (2) of the Order in Council are a slip. Election agent is intended. The election law should perhaps specify more definitely the documents relating to the election referred to in Article 45 (9).

Political Education.

The general election of 1931 based on adult suffrage had an enormous effect in promoting the political education of the people. No less than 57 per cent. of those registered voted and many of them travelled to the polls on foot or otherwise and not in vehicles provided by candidates or their friends. It is doubtful, however, if the majority knew much about the functions of the State Council; they knew they were electing a person to be a member of this Council.

Scarcely any voters voted for a policy. Most of them voted for a person whom they favoured on account of his character, record, influence, community, caste or religion, a few exceptions notwithstanding.

It is idle to expect voters in a country inexperienced in representative institutions and procedure to act up to the standard established during several centuries in other countries and one must have considerable sympathy for the difficulties of candidates unsupported by the party organizations which exist elsewhere, in dealing with an electorate largely devoid of political and other education.

At the polls the conduct of the candidates was on the whole most creditable considering their difficulties. They, like their agents and the voters, responded to the helpful attitude of the election staff and everyone was on the side of lawful authority, whatever tactical moves in canvassing agents or others made against each other.

Would be evil doers, if there were an insignificant number of such persons, were well aware that arrangements had been made in advance for dealing with their activities.

Candidates and their agents expressed generous appreciation of the excellent polling arrangements made and the polite efficiency of the election staff at this novel general election.

It seems clear that the size of the electorate made corrupt and illegal practices on a small scale valueless, while the organization and means were not available for malpractices on a large scale, even if, as is unlikely, many of the candidates desired such malpractices.

It seems clear that there was little personation, few cases of removal of ballot papers from polling stations for sale, little undue influence and no attempts forcibly to prevent people from voting.

Whether the comparatively high standard of public conduct set up at the 1931 election will be preserved in future remains to be seen. The greatest safeguard against deterioration is the size of the electorates, which makes bribery or other malpractices to a large extent futile and dangerous to wit in a country where election petitions are freely lodged if evidence of malpractices is available.

Election Expenditure.

Every attempt was made to keep down the inevitably heavy expenditure involved in the preparation of voters' registers, polling, etc.

The registration of voters in the 50 electoral districts cost about Rs. 70,000 or Rs. 1,400 per register, the final average number of voters on each register being 32,000.

The statement annexed of total expenditure is not absolutely correct, as the accounts are not yet closed and will require a little revision. It does not include the expense of printing which was met from the Government Press general printing vote.

The most expensive item was the cost of staff at the polls though it was almost entirely composed of public officers including Police who received no pay for election work. As the whole country was covered with polling stations a great deal of travelling to such places had to be done, much of it by motor, by large numbers of officers. Expenditure incurred on travelling by rail was of course largely of the nature of a book transaction but all such expenditure has been included.

The total expenditure if all items including printing were included would probably be little short of Rs. 3,00,000.

In future the cost of a general election will be much less as the annual registration of voters will be merely a revision of existing registers and because there will be no need to purchase ballot boxes and other stores.

Some officers urge that the official election staff should be paid by bonuses or otherwise for their highly responsible work. The other views are that, like jurors, they should work without special pay, or that as Government servants they can be rightfully called on to do any kind of Government work.

In my opinion Public Officers should not be paid specially for their work at elections.

I am strongly opposed to proposals to use Local Government bodies to do election work. They will demand payment for the services of their officers, or object to doing the work of the central Government gratis. Moreover, these officers are not Government officials amenable to Government discipline.

In conclusion I would record my appreciation of the remarkably efficient manner in which Government Agents, the Registrar General, Assistant Government Agents and their staffs carried out the enormous task connected with the general election in addition to their ordinary duties. His Excellency the Governor expressed his great appreciation of the highly creditable way in which all officers connected with the work performed their duties.

T. REID.

Colombo, August 12th, 1931.

29th February, 1932.] Sir BERNARD BOURDILLON & Mr. H. P. KAUFMANN. [*Continued.*

Expenditure on registration of voters, polling, etc., 1930 and 1931.

	Rs. cts.
Amount expended during financial year 1929-30 on work in connection with the registration of voters	26,631·28
Amount expended during 1930-31 to end of May 1931 on work in connection with registration of voters, revision of registers, etc.	33,259·27
Amount expended in connection with preparation for the general election, travelling, overtime, etc. (before allocations were made to Returning Officers)	1,897·73
Cost of advertising polling notifications	7,865·63
Cost of 2,812 ballot boxes including cleaning of old ballot boxes and repairing old boxes where necessary	24,181·11*
Cost of Clippers	754·74*
Allocations made to the various Returning Officers in connection with the general election—construction of temporary polling stations, construction of voting compartments, transport of furniture, overtime to polling staff, travelling expenses of polling staff, police, etc.	1,61,979·00
	2,56,568·76
Expenditure incurred in 1929-30	26,781·28
Expenditure incurred in 1930-31	2,29,787·48
	2,56,568·76
Cost of stationery met from the Colonial Storekeeper's vote—	
1929-30	4,628·34
1930-31 (to date)	534·41
	5,162·75

NOTE.—Payments on account of stationery have not been completed. Vouchers are still coming in, but the total expenditure may not be very large.

* These will be non-recurrent expenditure.

APPENDIX II.

Demi-official letter No. C. F. 1113/32, dated Colombo, the 9th March, 1932, from the Chief Secretary to the Government of Ceylon, to the Secretary to the Indian Franchise Committee.

I have the honour to forward herewith for the information of the Indian Franchise Committee information obtained from the province of Ceylon.

2. The following principles were adopted in making arrangements for polling:—

(*a*) One Presiding Officer, termed the "Senior Presiding Officer" was appointed to be in charge of each polling station. This Senior Presiding Officer was in every case a Civil List Officer, that is a Staff Officer.

(*b*) All male Civil List Officers of the Ceylon Government who were in the Island at the time of the Election were considered available to act as Senior Presiding Officers, with the following exceptions:—

(*i*) Certain officers holding important headquarter appointments, *e.g.*, Colonial Secretary, Attorney-General, Controller of Revenue, Colonial Treasurer.

(*ii*) Returning Officers (unless in an emergency).

(*iii*) All Police Officers.

(*iv*) Medical Officers on duty in hospitals on days of polling.

(*c*) The rest of the male polling staff was provided from the various clerical services (the General Clerical Service, the Customs Clerical Service, the Railway Clerical Service, etc.) and from officers of similar standing from local bodies.

(*d*) One or two Assistant Presiding Officers were appointed in each polling station. These were senior clerks. The purpose of their appointment was to provide against sudden illness or other emergency incapacitating the Senior Presiding Officer and more particularly because only Presiding Officers had the power to enter the voting compartments. It was found necessary frequently to enter these compartments to keep the voters moving, to see that not more than one voter was in the compartment at the same time, to see that the slits in the boxes were not blocked, and to see that the ballot boxes were not interfered with. These officers also assisted the Senior Officer in the supervision of the polling station.

(*e*) No Headman, Presidents of Village Tribunals, Police Officers or persons (such as Justices of the Peace and Unofficial Police Magistrates) who are not subject to direct official discipline were employed as Presiding Officers.

Ceylon General Election, 1931.

The Island is divided into 9 provinces (Districts) and an extract of the Electoral Statistics for each is given below:—

——	Western.	Central.	Northern.	Southern.	Eastern.	North Central Province.	Uva Province.	Sabaragamuwa.	North Western.
Total No. of Voters on Registers	529,995	194,850	138,725	266,046	69,689	17,586	48,498	145,022	171,305
No. of voters for electoral areas in which there was a contest.	430,747	164,440	16,476	266,046	69,689	17,586	21,641	67,771	171,305
No. of polling stations—									
Men	74	10	2	11	16	..	..	4	9
Women	74	10	2	11	16	..	..	4	9
Mixed	25	66	18	69	25	14	12	15	74
	173	86	22	91	57	14	12	23	92
No. of days on which polling took place.	5	6	1	3	2	1	1	2	3
No. of senior Presiding Officers .	128	44	22	40	36	14	12	19	37
No. of Male Asstt. Presiding Officers.	189	70	19	155	37	23	19	24	45
No. of Lady Asstt. Presiding Officers—									
(*a*) Public servant . .	4	*nil.*	*nil.*	*nil.*	2	..	..	..	..
(*b*) Un-officials . . .	15	1	1	14	13	..	2	3	7
	19	1	1	14	15	..	2	3	7
Whether special arrangements made for Pardah Muslim Lady voters.	Yes	No special arrangements as the number was very meagre.	No	Yes	Yes	No	No	No	Yes

Memorandum submitted by Mr. A. R. C. WESTLAKE,, I.C.S., Collector of South Arcot.

I.—PROVINCIAL LEGISLATURE.

1. Extension of Franchise.

(*a*) Extension of franchise to pattadars paying more than Re. 1 would include approximately 10 per cent. of the population if women were included.

(*b*) It will exercise a vote not markedly less intelligent than the present electorate.

(*c*) Yes.

(*d*) Does not arise.

(*e*) Not at present.

(*f*) This method is not suitable for the Non-Muhammadan electorate owing to faction in so many villages. The only possible way would be for the Tahsildar to conduct elections of secondary voters in each village as members of panchayat courts and panchayats are not elected and that would take up too much of his time and lead to an infinite number of appeals.

(*g*) No.

2. Franchise Qualifications.

(*a*) No.

(*b*) I think that all separately recognized minority communities should be given representation in proportion to their numbers or a bit more. I have here a suggestion to make which I think is worthy of consideration.

It is—

(1) that minority communities should elect in separate electorates a number of representatives proportionate to their numbers;

(2) that all voters on the rolls of minority communities should also vote in the Non-Muhammadan electorate which should be renamed as the general electorate, it being presumed that the qualification for all the electorates is the same.

This seems to me to be preferable to giving the minority communities weightage in representation above their proportionate share.

The advantage of this proposal is that it provides a bridge between a general electorate and the communal electorate and does not cut off the minority communities entirely from the main community. It is conceivable that in the course of time as the economic conditions of the minorities or their number increases, there may be good grounds for abolishing the communal electorates and absorbing them in the main electorate.

The obvious objection is that it will give the minority communities additional voting power, but this will be small at present and if anything like unity is ever to be attained, the majority community will have to make some concessions.

This seems to me to be the proper place to deal with the problem of the largest minority community, that of the Depressed Classes. In this district they number one-fourth of the population, say, 600,000. They are, therefore, entitled to 1½ members. If they are to have a separate electorate and representation, I think an additional member will have to be allotted to this district in addition to the seven I have proposed. In their case, it will be easy and advisable to arrange for group representation on an adult manhood suffrage basis. The method I would propose is this. If the other electoral rolls are to be revised in 1933 (say) the Revenue Inspectors would visit all cheris in the last six months of 1932 and hold elections of secondary voters by summing the inhabitants of the cheri and electing one secondary voter

Memorandum by Mr. A. R. C. WESTLAKE. [*Continued.*

for every 60 of those who appear, an odd 31 or above electing one secondary voter. Any objections must be made and an appeal given in 15 days to the Tahsildar. I do not expect there will be many. A roll containing the names of these secondary voters will be drawn up and they will vote at the general elections for the separate Depressed Classes candidates.

For the general electorate I would propose for Depressed Class voters at present,

(1) Double the property qualification of the ordinary voter; or (2) elementary education up to sixth standard.

(*c*) Yes, except in Depressed Class separate electorate where I have proposed adult manhood suffrage with secondary election.

(*d*) Holders of completed Secondary School-Leaving Certificates may be eligible independently of property qualifications.

(*e*) Military service qualification should be extended to service in the Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) I am not in favour of giving the vote to the wives of electors as such. In present conditions this will double the numbers of voters but give the same result, as the women will not vote against their husbands. The only way of giving women any real representation is to treat them as a minority and apply the scheme I have suggested for other communities, which is,

(1) Let them vote in the General Electorate on the same qualifications as men,

(2) Prepare a separate roll for women including,

(*i*) those entitled to vote in the general electorate,

(*ii*) all women who have been educated up to the sixth standard or above. Older women will have some difficulty in proving their qualifications, but I understand that at present schools are issuing certificates to show the standard attained on leaving.

This separate electorate will elect one woman representative in each district.

(*b*) The idea of forming women into groups for electoral purposes is, if I may be pardoned for saying so, laughable, in present condition.

4. DEPRESSED CLASSES.

I have given at some length my proposals for the representation of depressed classes in my answer to 2 (*b*) above.

5. REPRESENTATION OF LABOUR.

Labour is not organized in this district, except the small number of railway men. I have no remarks.

II.—FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) I agree.

(*b*) Property qualification should be at least five times as high as for the Legislative Council.

(*c*) Direct election is to be deprecated on account of the size of the constituencies, but a practicable alternative is hard to find.

No system of indirect election which involves holding two elections *in the district* is to be recommended. There are too many elections as it is to disturb public tranquillity and the normal course of administration. All I can

suggest is that at the general elections there should be elected a number of Legislative Assembly Members elect by each constituency equal to the number of Council Members elected by each constituency, *e.g.*, a constituency returning two M.L.Cs. would return two M.L.As. (Elect). At the first session of the Legislative Council the leaders of the Government, Opposition and any recognized group should submit to the President of the Legislative Council—

(1) a claim to a number of seats in the Legislative Assembly proportionate to their strength in the House;

(2) a list of M.L.As. elect supported by them.

It would be possible for the President to ascertain the strength of each party by a division or by some analogous procedure. He will then allot a certain number of seats to each party, and choose by lot from the names submitted a sufficient number of members to fill the seats allotted to each party or group.

I feel this is a very imperfect solution but it has the advantage that while the members of the Upper Chamber will be elected by the majority in the Provincial Councils, the M.L.As. will represent all parties in the Provincial Council.

To revert to more orthodox methods, any sort of indirect election would be difficult to manage. An ideal secondary electorate might be produced theoretically by each village electing one secondary voter for every 500 of its population but there is not sufficient staff to manage such elections and they would give rise to innumerable appeals, faction fights and magisterial cases.

I think we shall have to revert to direct election and make the constituencies more manageable by slightly increasing the number of representatives. Why should not Madras with its 48 million population have at least 48 representatives?

Adopting the last Legislative Council roll as the future Legislative Assembly roll, two constituencies could be found in this district—

	Voters.
Tindivanam division with Tirukkoyilur taluk . .	29,899
Cuddalore and Chidambaram division with Kallakurichi taluk	28,742
TOTAL .	58,641

If such an increase is not practicable or if seats have to be reserved for minorities, then at least one member should be elected directly by the general constituency in each district.

7. I presume that out of the 32 seats allotted to Madras at least 20 will go to the general constituencies and six to Muhammadans. Of the remaining six at least three should be reserved for depressed classes and one for women.

GENERAL.

I think it would be very dangerous for the Franchise Committee to attempt to form any opinion on the basis of a single visit to a conveniently situated village.

The following may, however, be of interest to them:

An election for members of a forest panchayat, the voters coming from a taluk headquarters villages and several neighbouring villages had to be held. The usual method of voting is by show of hands. The election had been held twice and had been twice upset on petitions from the villagers

Memorandum by Mr. A. R. C. WESTLAKE. [*Continued.*

who were riddled with faction. I was called on to hold it for a third time and decided to hold it by open ballot with the assistance of a number of my clerks to help voters who were nearly all illiterate. After spending most of the day in a temperature of over 100° personally supervising the marking of the ballot papers, I heard the beginnings of a first class riot developing in the compound of the taluk office. Seizing a police lathi and mustering the few police available, I cleared the compound and had the roads in the vicinity of the office patrolled to prevent any further fracas. If it takes three elections and the presence of an Indian Civil Service Officer to conduct elections in a group of two or three villages, what machinery will it require to conduct elections in 2,000 villages in a district, many of which are equally factious?

The prize of the election—a forest, with full rights of free timber and annoying the opposite faction was of course a more important one in the eye of the villagers than a Legislative Council or Legislative Assembly election, but I think the moral is that any electoral scheme that rests on elections of representatives by small bodies is going to be very difficult to work.

II.

The population of this district according to the Census of 1931 is 2,454,141. The number of voters in the non-Muhammadan constituency for the Madras Legislative Council is 58,641. I think it can be safely assumed that even in this district which is essentially a district of small pattas, the number of pattadars and registered lease-holders paying between Re. 1 and Rs. 10 will not exceed three times this number. This will give an electorate of 240,000 in round figures. This is suspiciously close to a 10 per cent. electorate, but it is an honest guess and not a 'wangle'. That is not an unreasonable estimate may, I think, be judged from the fact that the new Local Boards Franchise which, as you remark, brings anyone who pays anything on to the roll is only 324,540 or 14 per cent. of the electorate.

2. An electorate of 245,410 or 10 per cent. of the population will require 491 polling officers. At the last election 319 polling officers and 104 clerks were employed, a total of 419. It would be easy to find an additional 72 Government servants as polling officers, utilizing the former clerks as polling officers. For those 419 polling officers some 200 clerks would be required and I am sure that these could be found from the ranks of junior Government servants.

3. For an electorate of the size of the Local Board electorate, 650 polling officers would be required and it will, I think, be possible to find these from the ranks of Government servants though some of them will be rather junior. For clerks it would be necessary to utilize the services of intelligent karnams and some batta might have to be paid to those who come from villages more than five miles from polling centres. This should not amount to more than Rs. 300 and would be less than travelling allowance of other Government servants.

4. For an electorate of 20 per cent., 982 polling officers would be required. As the total number of Government servants (excluding police) drawing Rs. 35 or above in the district is about 850, it would not be possible to supply polling officers for this electorate.

5. The other chief factor for consideration is polling stations. A certain amount of difficulty was experienced at the last election in finding polling stations and in some cases private houses not accessible to Adi-Dravidas had to be used. A possible solution is to do what is done in French India and construct sheds for the purpose. It is hard to estimate the number that would be required for a 10 per cent. or 14 per cent. electorate; but it might be roughly estimated at from 50—100, costing between Rs. 1,500 and Rs. 3,000.

Memorandum by Mr. A. R. C. WESTLAKE. [*Concluded.*

6. With regard to the arrangement of the constituencies, this district presents some difficulties. On the assumption of one rural non-Muhammadan member for every 4 lakhs, this district would get 6. It has, however, eight taluks divided into 3½ divisions (the half being Cuddalore division with only one taluk), and as they say in schools 8 and 3½ won't go into 6. A further complication arises from the fact that the Depressed Classes form one-fourth of the population of this district and if they have a separate electorate and representation will be entitled to 1½ members.

7. If there is to be only one electorate and seven members could be allotted, a simple arrangement would be as follows:—

	1931 Census.	Member.
Cuddalore taluk and municipality . .	385,298	1
Tindivanam division (Tindivanam, Gingee, Villupuram taluks and Villupuram municipality)	791,619	2
Tirukkoyilur division (Tirukkoyilur and Kallakurichi taluks)	670,661	2
Chidambaram division (Chidambaram and Vriddhachalam taluks and Chidambaram municipality)	606,561	2

This is as even a distribution as we are likely to get and each division is fairly homogeneous. Tindivanam division is separated from the rest of the district by the Ponnayar river. Except for a little river channel irrigation in Villupuram, it is chiefly of the dry-crop and tank-irrigation type and its markets are either in the division or in Pondicherry.

8. Tirukkoyilur division is chiefly dry upland plus tank irrigation and the interests of its ryots are much the same.

9. In Chidambaram division, Chidambaram taluk is chiefly a paddy-growing area under the Coleroon, but it shares the waters of the Vellar with Vriddhachalam.

10. This arrangement has the great advantage of coinciding with the major administrative boundaries.

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1. Mr. T. G. RUTHERFORD, C.I.E., I.C.S., Additional Secretary to the Government of Madras,*

2. Rao Bahadur N. GOPALASWAMI AYYANGAR, B.A., B.L., Inspector-General of Panchayats,*

3. Mr. A. R. C. WESTLAKE, I.C.S., Collector and District Magistrate, Arcot (South),†

4. Mr. C. F. BRACKENBURY, I.C.S., Collector, Chittoor.

1. *The Chairman:* I see from your memorandum‡ that you expect 400 voters to be dealt with in a ten-hour day. Will you explain briefly the exact method which is adopted in the polling booth which leads to the conclusion that one presiding officer can only deal with 400 voters in a day

* For memoranda by the Government of Madras, *see* Volume II; *see* also Appendix on page 58.

† For memorandum *see* pages 42—46.

‡ Page 58.

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of ten hours?—(*Mr. Rutherford*): Sir, first of all when a voter comes up he has to be identified by the village officer.

2. Will you first of all explain the arrangement you make inside and outside a polling station?—(*Rao Bahadur Gopalaswami Ayyangar*): We have village officers posted outside the polling booths and, as a voter comes up, he is first of all identified. Then he goes to one of the assistant polling officers.

3. Who identifies him?—(*Mr. Rutherford*): One of the village officers, generally the headman of the village. As I said, one of the assistant polling officers takes his name and it is marked off on the roll. Then he is given a ballot paper which has next to be initialled. On the counterfoil will be entered the particulars.

4. What is written on the counterfoil and what is written on the ballot paper?—His name and number on the electoral roll are entered in the counterfoil. Nothing is written on the ballot paper by the polling officers. He then takes his ballot paper and gets it initialled by the presiding officer. He is then shown the several apartments or cubicles where there are writing materials for him to mark his vote in secrecy. He does so, comes back to the presiding officer's table and puts his paper into the ballot box.

5. Does he not show his voting paper to the presiding officer?—Yes.

6. What happens in the case of the illiterate voter?—In addition to the officials present there will be polling agents also, and the illiterate voter has to come up to the presiding officer. After being identified and after getting his ballot paper, his name being marked on the roll, he has to explain to the presiding officer whom he intends to vote for. The presiding officer then marks the ballot paper accordingly in the presence of the polling agents. The voter then goes and puts it into the ballot box.

7. Do you mean to say that in the case of the illiterate voter, the presiding officer marks the paper in the presence of the candidates' agents?—Yes.

8. Then there is no secrecy at all, is there?—Not only illiterates, but many literate voters come and give themselves out as illiterate and get their votes marked in this way.

9. That is a curious thing. Why is it that you say that you could poll only 400 votes in a ten-hour day?—Some have put it at less than 400. That is at the rate of 40 votes per hour. Of these 400, 50 per cent. would be illiterate voters and all the rigmarole has to be gone through; so each vote takes a little less than a minute and a half, on the average. If there is a simplified system, we can do it as in Ceylon.

10. The Ceylon system does not differ fundamentally from the Bihar and Orissa system, except that the polling clerks do more in Ceylon than they do in Bihar and Orissa. The presiding officer hands the ballot paper to the voter. In Ceylon, as far as I am able to understand, they are able to deal with a thousand voters per day, with two polling clerks and one presiding officer. In Bihar and Orissa and in other places I think they said that they could deal with 700 or 800 or possibly more under additional pressure of work. Do you see any objection to that in this province?—Personally I see none, and it has been suggested to the Government that if they are to have a much larger electorate, they must simplify the procedure of polling, that the presiding officer must not have so much detail thrust upon him, and that he must be more of a supervising officer. Now in addition to his duties with regard to the illiterate voters he has also

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the work in connection with tendered votes as in Ceylon. Though it does not add very much to his work, yet it does take up his time, because he has to see whether the voters are genuine or not.

11. It seems that in other provinces the business of handing over the ballot paper, the identifying of the voter, in so far as he has got to be identified, is done by the polling clerk. But the presiding officer should check it. Is that so in your province?—Here we have the system of identification by the village headman, and so the polling clerk's duty will only be to tick off the name on the roll and issue to the voter a card entitling him to the ballot paper, or issue him the ballot paper itself, if we introduce the system of having these ballot papers stamped with the seal of the presiding officer. At present our system is too cumbrous for a big vote.

12. In Bihar and Orissa I think it is stamped by the presiding officer as the man goes into the polling compartment.—As a matter of fact, we have recently framed a rule for introducing in local board elections a system similar to what was described as existing in Ceylon. To-morrow morning we are making the first experiment in this province and the Committee will have an opportunity of seeing how it works. We have a system of boxes, each box being assigned to one candidate, and the returning officer assigns a colour to the box. The ballot paper itself does not contain the name of any candidate. It will simply be a piece of paper containing the serial number as on the counterfoil; and as a matter of further precaution the polling officer should initial it. The instructions that are issued are that he should initial it beforehand. The voter simply takes the paper and shoves it into the box of the candidate of his choice. This is what we have to try. That can be adopted to multi-membered constituencies of which we have several in the local boards. If there are two seats, we print Nos. 1 and 1a, 2 and 2a, 3 and 3a and so on. Each voter when he comes to the presiding officer is given these numbers and then he is asked to go into the booth and drop his votes into the boxes. If he wants he shoves both ballot papers in the same box. We have a rule that if 1 and 1a or 2 and 2a are shoved into one box, they should count as one vote. It is not in force for the Legislative Council election. It is a new system.

* * * * * *

13. *Diwan Bahadur Ramaswami Mudaliyar:* Mr. Rutherford, you said that the identification of the voter is done by the village officer. My experience, I may tell you, is that the village officer is present but every voter is not identified as a necessary preliminary to his being handed over a ballot paper.—In actual practice the village officers are there and if the voter's identity is disputed, they come in.

14. All of them are asked by the Revenue Department to be present at particular booths. Now as regards these illiterate voters, if their ballot papers are to be marked by the polling officers or the presiding officers without the agents of the candidates being present, there would be an outcry; would there not be?—Yes.

15. It was to avoid that that the rule was changed. The complaint was that the presiding or the polling officers were biassed and marked wrongly or something like that.—(*Rao Bahadur Gopalaswami Ayyangar*): Not that there were actual complaints. The apprehension was that there might be bias.

16. So far as the marking of these illiterate votes is concerned, while on the one hand it has been asserted that some literate voters also pass off as illiterate voters, is it your experience that generally speaking the whole

29th February, 1932.] Mr. T. G. RUTHERFORD, Rao Bahadur N. GOPALASWAMI AYYANGAR, Messrs. A. R. C. WESTLAKE & C. F. BRACKENBURY [*Continued.*

village votes in a particular way?—(*Mr. Rutherford*): One can only say from hearsay. One is told that and one knows that candidates do make efforts to get influential men in the village to get a block of votes. It is practically impossible for the ordinary official to verify these things. I know from what has actually been told me with regard to taluk board elections in one particular district that a committee of the important men of the taluk sat down and decided who should be the candidates to be supported and those candidates were accepted by the people. That is an example of the way in which things are very largely done.

17. Knowing the party system in this country as we do, there is nothing fundamentally against democratic principles or fundamentally opposed to fairness if the village elders sit together and decide one way and the villagers vote accordingly. You would not call that violation of the fundamental principle of democracy knowing the party organisation of this province?—It may be what is happening in this country. But it is not the individual voter casting his intelligent vote on a principle or political programme.

18. That is true, but sometimes democracies get overweighted with voting for principles and policies which they understand less than individuals or personalities. That is my personal opinion. I want to ask you about this new system which is going to be tried. I do not quite understand this method in multi-membered constituencies where two ballot papers are given to a voter in the hope that he may use one paper. But I understand that if he puts both papers in one box they will be counted as a single vote. In some provinces, it has been suggested that in such a case the whole vote should be declared invalid. But my difficulty is this. Unless at the time of counting the votes you are very careful about the numbers. 1 and 1a and so on, obviously a good many of these votes may be counted twice over. Is it not so?—I do not think so, because each box is opened separately and the instructions are that the ballot papers inside the box should first be arranged in serial order. When you arrange them in serial order, you must pick up 1 and 1a together.

19. As regards the number of votes that could be polled at present I take it that there are instances where 500, 600 and even 800 votes have been polled in some polling stations. Is it not so?—I believe that is correct, where there are mostly literate votes, and those voters come ready, knowing for whom exactly they are voting. And therefore the polling goes on rapidly. But every district officer who has reported and most of the members of the Provincial Committee who were questioned on the subject have stated from their own personal experience that, in their opinion, under our present rules 400 votes is a very high average, when the election goes on from 7 in the morning to 6 in the evening with an hour's interval, from 12 to 1.

20. Your polling hours are from 7 in the morning to 6 in the evening with an hour's interval for lunch between 12 and 1, and none of the polling or presiding officers have complained that it is a very severe strain on their physical or intellectual powers?—(*Rao Bahadur Gopalaswami Ayyangar*): All I can say is that I can give my personal experience. There was polling for a municipal election in the Anantapur Municipality. They had fixed the polling station, and the number of voters there was 750. I myself went there in the morning to see how the polling was going on and found a large number of people waiting outside unable to get ballot papers. I was the officer who could appoint additional polling officers and so, on the spot, I called in another taluk officer, gave him another booth, and divided the voters on the list between the two booths, and then the voting went on without difficulty and was completed. If that had not been done I do not think it could have been managed.

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21. I take it that it is your experience that voters come fairly early in the morning and do not wait till 11?—If it is a town the voters come early in the morning. But in the rural stations I believe most of the people who do not belong to the village where the polling is held usually come after 12 o'clock.

22. But the candidates take care to get the village votes recorded first before the rush begins?—Yes.

23. As regards the initialling of the ballot papers, do you still prefer that to a system of punching?—The only thing that I can say is we have not tried it. Punching would be quite as good, I think. As a matter of fact for the new system, after I began framing detailed instructions, I thought that the original idea I put into the rules which provided for the initialling of the ballot papers might be dispensed with, and that we might have the election officer's stamp on both the counterfoil and the ballot paper. That is sufficient, I think.

24. And I suggest also that the writing of the name is unnecessary. The number is quite sufficient.—Quite sufficient.

25. At present both are done?—Yes.

26. *Major Milner:* On the matter of voting for principles and personalities, have you got the party system at all now?—(*Mr. Rutherford*): We had one definite party for a time known as the Justice party; it was based more on communal than on political principles.

27. It seems to me that from now onwards and for a time the people of India will merely vote for personalities. And one may reasonably anticipate, I suppose, that at a comparatively near date parties and issues will develop when you have your responsible government. Is that not so?—I am afraid I cannot prophesy beforehand. To get democratic government as now proposed, we must have a party system, I think. But we cannot anticipate.

28. One may reasonably assume that in course of time these will develop, is it not so?—What we are afraid of is the development in this province of something like the French system of small parties centring rather round individuals than round policies. That is my feeling of what may happen. Whether it is a correct anticipation or not, remains to be seen.

29. You told us about the villagers' selection of candidates which seems to work quite all right; I could not quite grasp in what connection it was. Will you tell me in what connection?—Mr. Ramaswami Mudaliyar asked whether it was a fact that candidates were very largely selected simply on their personality without regard to parties or political ideas, and I agreed with him.

The Chairman: I think what you mean is this. Before the election the villagers come together and make up their minds as for whom they should vote. That is what it comes to. That is a very good way of working the group system.

30. *Major Milner:* If that is perfectly satisfactory, is it not an indication that the group system will work equally satisfactorily. And in practice this may be what happens. Just a fortnight or a month before the election, when it is known that this process is to take place, there would be discussions in the village and conclusions arrived at as to who should be selected. Is that not so?—(*Rao Bahadur Gopalaswami Ayyangar*): The grouping and the election of secondaries would happen before nominations to the Legislative Council.

31. Not necessarily. There are two schools of thought. One would have the grouping and the primary elections done months before the election for the Council comes off. And there is another school which would like

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to have the primary elections immediately before the Council elections.—When they show the candidate who is to stand, it could be done just before the elections. Why have this intermediate stage at all?

32. Because we understood from you, gentlemen, that it was impracticable to do it otherwise. Am I right in assuming that according to you adult suffrage is impossible on administrative grounds?—That is the opinion of the Committee. If the alternative is going to be a system of indirect voting, I do not think the Committee will be afraid of adult suffrage.

33. Am I to understand that you do think it practicable to have adult suffrage and would prefer it to the group system?—The view of the Government is that ten per cent. is about all that can be managed administratively.

34. I am not asking for the Government view. I am asking you, gentlemen, knowing what staff you have got, whether adult suffrage cannot be carried out.—I do not think we can manage efficiently more than 10 or 12 per cent. of the population. And if you add to that the group system, it is going to be unmanageable without a very expensive and large staff. But we can carry out anything if we spend money on it and if the country can afford it.

35. There is a school of thought which thinks that democracy has to be paid for. You tell us that it can be done if you had the money to pay for it. How would you do it if reasonable funds are forthcoming, and adult franchise is given for the whole province and elections are to be conducted in not more than two days?—(*Rao Bahadur Gopalaswami Ayyangar*): My personal opinion is that, on the assumption that the whole of the election is to be conducted by Government officials, anything more than 23 per cent. of the adult population could not be easily managed administratively. But I for one do not see why we should exclude non-officials altogether. Nor do I see why we should not take in the services of local boards and municipal councils. If people are prepared to have polling done by persons other than Government officials and the country is prepared for the cost of it, I do not think you can say it is administratively not feasible to conduct an election on universal suffrage.

36. I do not know whether you have got a list of officials now. But I should like to have particulars as to how this would be carried out and the officials who would be competent and available. I understand you to say quite clearly that universal suffrage is quite practicable if the public and the candidates would be content with non-officials in addition to officials, is it not so?—Yes, *plus* the cost.

37. And you think there are sufficient competent non-officals who, added to the officials, could carry out that election?—I think so.

38. Your present system like that, apparently, in every other place in India, throws a great burden upon the presiding officer. Why is that? Why don't you have the method adopted in Ceylon and ask the clerks to hand over the ballot papers?—As a matter of fact, the practice here is for the presiding officer to write the name and number of the elector on the counterfoil and issue the ballot paper himself. That is, what we call in this province, the "mamul". I do not see why we should not adopt the Ceylon system and save trouble for the presiding officer.

39. Are there sufficient competent men available to do that work?—Yes. For the local board elections we propose to take clerks on Rs. 35 a month.

40. Are they quite competent to check the electors' roll and identify the voter with the name on the list and hand him the ballot paper?—Yes.

41. Why is it necessary for the presiding officer to put his initials on the ballot paper?—I myself drafted the rules for the new system and I

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was trying to think of all these things. I had no idea of what was happening in Bihar and Orissa and Ceylon. And I thought that the work of identifying the ballot paper was necessary because if the voter's name was not there and the marking was dishonestly done, it could be found out by the absence of the initials. If the paper had at least the polling officer's initials, we can identify it later on as a genuine paper.

42. Are there no serial numbers on these papers?—There are, but serial numbers can be faked too.

43. Do you think it is usual or possible for any person to put in faked ballot papers?—I cannot say there are many instances, but when we frame rules, we assume all sorts of contingencies.

44. I suggest, with respect, that to have the Presiding Officers to put their initials on the paper is wholly unnecessary and that it could easily destroy the secrecy of the ballot. Supposing, for some reason, I want to know how you voted and I am a Presiding Officer and I am a public official engaged in the department looking after the ballot papers and so forth, there is nothing easier in the world than this?—(*Rao Bahadur Gopalaswami Ayyangar*): I quite agree. After further consideration I have myself come to the conclusion that that was unnecessary. We were just beginning to experiment on that system.

45. *Khan Bahadur Aziz-ul-Huque:* Would you kindly tell me whether it is possible in an average district to get 200 or 250 Presiding Officers?—(*Mr. Rutherford*): We take men who hold responsible posts and are normally drawing Rs. 100 or more. I think we could provide that number of such men.

46. I take it that in an average district it is possible to get 200 to 250 officers?—Even up to 300.

47. If that is so, I find that the total area of the Madras Presidency is 143,852 square miles. Calculating on the basis that every polling centre is to serve a radius of 5 square miles, you require 250 polling stations per district. Is that correct?—I have not worked out the figures on this basis.

48. Assuming that it is correct and assuming that we were able to get 250 polling officers, what is the difficulty in adult suffrage being introduced immediately?—Because those polling officers, even under the Ceylon reforms, cannot poll more than 1,000 votes a day. We have too cautious a system. If we want to have a large increase in the franchise, we must adopt some less cautious system of polling votes.

49. Let us take it purely from the point of view of administrative feasibility. Leave the question to others, whether it is desirable to proceed as cautiously as you do now. I am asking whether administratively it is not possible to have a polling station within a radius of 5 miles and thus be able to poll the whole number in two days?—As I said before, if you are prepared to pay for it, anythig is administratively possible. It means that we have to employ a very large staff temporarily, and temporary staff is normally unsatisfactory as we have no hold over them.

50. If there are 250 polling stations, you can provide officers?—For 250 polling stations we can provide. But they will not be able to poll the whole adult population.

The Chairman: We will ask you to give your considered view on that in your note.* I don't think it is possible to give a considered answer in the course of a discussion.

51. *Lord Dufferin:* Will you be able to do the same number of voters a day, if women came in larger numbers to poll?—(*Rao Bahadur Gopalaswami Ayyangar*): I don't think it will make much difference.

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52. *Mr. Chintamani:* Has much difficulty been experienced in finding suitable buildings for polling purposes?—No.

53. We have been told in another province that only police buildings or police stations could suitably be used for polling purposes. Is that the opinion of the Government of Madras also?—As a matter of fact, every polling station that we select will be a fairly large-sized building. We have been using schools so far, generally Taluk Board schools. That is a fairly comfortable building for polling purposes.

54. *Diwan Bahadur Ramaswami Mudaliyar:* You never select a police station for polling?—No, never.

55. *Mr. Chintamani:* I find that in Madras permission has been given to officers to employ non-official assistants. Has much use been made of that permission?—You mean for the Legislative Council elections. We have not used non-official presiding officers.

56. I find here in a Government Circular containing instructions to Presiding Polling Officers that they are permitted to employ honorary magistrates and other non-official agencies if and when required. You say that non-officials have not as a matter of fact been employed?—As a matter of fact, we have not felt the necessity for employing them so far in Legislative Council elections.

57. *Diwan Bahadur Ramaswami Mudaliyar:* But in the municipal areas in the district?—Even in the municipal areas.

* * * * * *

I might say, Sir, that as a matter of fact in municipalities the Chairman who is a non-official is the returning officer and he arranges for presiding officers and so on. Honorary magistrates and non-official municipal councillors have been employed.

Mr. Muthiah Mudaliyar: Teachers of high schools, private schools, are also employed.

58. *Mr. Chintamani:* So that if the number of the electorate is increased and if there are not enough officers in the district to be employed for this purpose, non-officials can be utilised?—Certainly. Plenty of non-official material is available in each district.

59. Do you anticipate that there would be any practical difficulty or any objection on the part of candidates against the employment of non-official agencies?—There may be. I believe, we have to face that if you are going to enlarge the electorate, and we want to conduct the elections on a large scale.

60. There may be a few cases. You don't think there will be many such cases?—I don't think so. As a matter of fact, we can adopt this system of having officials as presiding officers over a number of polling booths at a polling station and have the non-officials as clerks or assistant polling officers in charge of the polling booths under the supervision of presiding officers who will be officials.

61. I find that in the district of Cuddalore an electorate of 20 per cent. cannot be managed.—*(Mr. Westlake):* On the basis of the new Local Board franchise it comes to 14 per cent.

62. Do you think in other districts also an electorate of about that size, of 14 per cent., will be manageable?—I know the figures for this district only. I could not say about other districts.

(Rao Bahadur Gopalaswami Ayyangar): As a matter of fact we are going to extend this 14 per cent. to every district of the Presidency for the local board elections.

63. *Dr. Ambedkar:* Have you any serious objection to the Ceylon electoral system?—*(Mr. Rutherford):* No. I think it is an excellent one for speeding

up the vote. I think, it has its danger in the lack of anybody to identify the voters. It is obvious from the reports of various officers that with the extension of the franchise we must simplify our system of voting which is too meticulous and too careful. The Presiding Officer must be released of some of this routine work.

64. I want to draw your attention particularly to the system whereby they have eliminated altogether the writing on the ballot paper and introduced the card. Do you think that is feasible?—Personally, I think it is. It is being tried in this province for local board elections.

The Chairman: We will get all that in the note.*

65. *Sir Ernest Bennett:* It has been said that the whole of the election should be by the indirect method, the group method, and that direct voting should be abolished altogether. Do you think there would be any feeling of resentment on the part of the people in Madras who have hitherto enjoyed the direct franchise and would lose their vote?—(*Rao Bahadur Gopalaswami Ayyangar*): There would be violent opposition to it.

66. There is one group of electors who have got this voting by post—the Anglo-Indians. Does that work smoothly?—(*Mr. Rutherford*): In an educated electorate it does work smoothly.

67. There is no fraud?—There have been complaints in connection with some of the electorates in the Council elections, where the candidates fill up the papers themselves and the voters never know whom they vote for.

68. While speaking of postal voting, you speak in one of the documents of a guarantee of some form?—(*Rao Bahadur Gopalaswami Ayyangar*): The voter himself signs what is called a declaration—Voter so and so and number so and so.

69. There is no other guarantee. Nobody else is brought in?—I am not quite sure. I think a certificate from an Honorary Magistrate is required.

70. *Mrs. Subbarayan:* I understand that you do not have separate polling booths for women in all the polling areas. How do you decide whether in a particular area there should be a separate booth?—The usual rule is that when there are more than 50 women voters on the roll of a particular polling booth a separate cubicle should be provided with a separate entrance.

71. Not a separate polling station?—They enter the polling station along with men, but they go into a separate cubicle and vote and then go out by a separate exit. The idea is that they may not mix with men.

72. They put the ballot papers in the box in front of the polling officers?—Yes.

73. There would be men polling officers?—When there are more than 50 women in a municipal election they have a woman assistant polling officer.

74. Suppose a voter is illiterate, then who helps her?—She has to declare openly in front of the polling officer whom she wishes to vote for.

75. Before the men polling officers?—The Presiding Officer is a man. In cases where we get a large number of voters who are *gosha* women, we provide separate polling booths altogether with women presiding officers.

76. The whole staff would be women?—Yes.

77. If the number of women voters is increased, do you think it will be necessary to have separate polling booths in all the areas?—That would be a further complication. I personally don't think that women will insist on a separate polling booth except in about 10 per cent. of the polling stations in the Presidency.

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78. You will arrange to have separate polling booths according to the demand of women voters?—Yes.

79. Will you be able to provide the required number of women polling officers?—If my expectation is realised, namely, 10 per cent., it will probably be possible to have women polling officers.

80. They will do the work efficiently?—We have had no complaint against women polling officers.

81. Is there much difficulty in women getting to the polling booths? Are they unwilling to go to the polling booths if they are distant?—I should say, they are less willing to move out long distances than men.

82. How will you overcome that?—They would require conveyances.

83. I find in Tanjore only 3 women voted out of a very large number.—I can give you the percentage that voted in municipal elections. In 74 municipalities in the constituencies in which the elections were contested, out of a total number of 31,131, 18,844 recorded their votes. It comes to about 63 per cent.

84. In those municipal elections you had separate polling arrangements?—Separate polling arrangements in a few places. For instance, where the Muhammadans are concentrated and there are a number of *gosha* women we have given separate polling booths and separate women polling officers. Unless the number of women voters exceeded 50, there was no separate arrangement and they recorded their votes just like the men.

85. Do you think that women will be more willing to record their votes if there are separate polling booths for them?—I should think so.

86. There is a great disparity in the voting strength of men and women when the qualification is only the possession of property. Do you think it will be smaller if an educational qualification is introduced? For instance, in Tanjore the number of male voters is 64,131 and the number of women voters is 9,776, while in Vizagapatam where the men voters are 5,550, the women are 1,787. I am asking this question because I feel that if the number of women voters in a district is very small the candidates will not take the trouble of canvassing their votes and the women will not take the trouble of going to the polling booths either?—As a matter of fact, my own experience is that registration in Vizagapatam not only for the Legislative Council but also for the local boards is very defective.

87. Take the district of Vizagapatam. I think the literacy figures are very low. The ownership of property does not seem to help the women. So the number of women voters in Vizagapatam will be very, very small?—It depends also on the kind of owners of land you find in a particular district. For instance, my experience in municipal areas is that wherever you find Muhammadans concentrated in particular wards, the number of women voters in those wards is much larger than in those wards the inhabitants of which are Hindus, because their laws of property are more favourable to women than Hindu laws.

88. I would like you to consider this point and let us have any suggestions you might have to get over this difficulty?—The only thing that we can suggest is ability to read and write.

89. This is what I want to know. Will that help? There is great disparity in some districts. There are districts where we want the political education of women to spread.—It will not be possible to provide a separate franchise for a particular district.

90. Any other qualifications which could be adopted for increasing the voting strength in addition to literacy and ownership of property?—The only other suggestion is giving the vote to wives and widows.

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91. *The Hon'ble Mary Pickford:* I see it is the duty of the presiding officer to prepare a statement of the number of men and women electors who recorded their votes. Will it be possible, without much trouble, to let us have the percentage of votes polled by men and women separately in the contested elections?—(*Mr. Rutherford*) : I think those figures are given in the Report on the Working of the Reforms up to 1926. Another Government Order, spare copies of which we are trying to get, gives it for 1930 elections. I think 16 per cent. of the women voted.

(*Rao Bahadur Gopalaswami Ayyangar*) : I can give you figures for 74 municipalities. Out of a total of 218,751 voters, both men and women, in the 74 municipalities, 154,446 recorded their votes. That is, 71 per cent. recorded votes. For women alone it is 63 per cent.

92. In the 1930 election, it was 63 per cent.?—(*Mr. Rutherford*) : Yes. Although it has not been accurately worked out, it was in 1930 that we had the largest number. In 1923 the percentage of female voters was only 10·2, but it was only in that year that the females got the vote. In 1926, 22 per cent. of the voters went to the polls.

93. *Sir Sunder Singh Majithia :* In another province we were told that only gazetted officers were posted for duty at the booths. Is that the case here also?—It could not be worked on that system here. That is not the rule here. We take men far below the gazetted rank. (*Rao Bahadur Gopalaswami Ayyangar*): As a matter of fact, our rule is not to employ gazetted officers as presiding officers if we can help it.

94. Have you ever tried honorary workers as polling officers? Have you engaged non-officials on this work?—(*Mr. Rutherford*): So far as my experience goes, we have not.

95. If you engage them you will get the necessary men to man the elections?—I do not see why it should not be a success.

96. You have no objection?—I should think not. (*Rao Bahadur Gopalaswami Ayyangar*) : In the district of Tanjore they employed about 707 persons for election work. Out of this number, 64 were non-officials. That is the only district where non-officials were tried on any large scale.

97. *Mr. Muthiah Mudaliyar:* Mr. Gopalaswami Ayyangar, you said that at the municipal elections about 71 per cent. voted?—Yes.

98. What is the average area of a municipal ward?—It varies. Each ward has a polling station.

99. Will a ward be more than a square mile in extent?—In many cases it is less than a square mile.

100. What is the distance a woman will have to go to record her vote?—Anything between half a mile to 3 miles.

101. In the municipal areas there are greater facilities for conveyance than outside?—Yes.

102. *Mr. Ramaswami Ayyar :* After the introduction of compulsory elementary education there are practically no villages without schools?—I follow you.

103. The school teachers can, without any difficulty, be engaged as polling officers, and there are any number of them; is it not so?—Yes. If they are utilised, there should be no difficulty in finding polling officers. But if you are asking me whether it would be wise to utilise them, it would be a different matter. For the present, I should not go down to that level for presiding officers.

194. May I know, then, whether non-officials could not be utilised much more than official because complaints have often been received about official

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interference?—Complaints have been received, no doubt. I myself feel that non-officials could be much more largely used than they are now.

105. If they are largely used, I suppose the problem of administrative inconvenience will be solved?—The difficulties will be much smaller. (*Mr. Rutherford*): Unfortunately, the public have no trust in them.

106. *Mr. Basudev:* The present estimate of the voting strength is 5·37 millions?—Yes.

107. In view of the fact that only 4 annas stands between an adult and his vote don't you expect that the roll will be considerably increased?—With each year, the roll will become larger.

108. As time goes on the roll will be double the size?—I do not think the prospect of an election has so far affected registration of electors in this province.

109. Mr. Rutherford said that the qualifying clause for cultivating leases for a vote has been grossly and unscrupulously exploited. What was the number that was thus enfranchised?—I have got some figures here. The total number of electors on the rolls is 5·37 millions. It is expected that another lakh of people will claim to be put on the rolls if we reach the stage of putting in claims. Out of this we were able to trace only about 26,652 as the number who put in documents in a printed form. We believe that the prospective candidates at the local board elections printed forms of lease and distributed them in the villages to be presented before the election officer.

110. Similar names were printed to swell the number of voters?—We have recommended that there should be a more precise definition of a lease.

111. If we qualify persons for the vote on payment of a tax on animals, will it bring in a number of voters?—It will bring in more voters.

112. *Diwan Bahadur Venkatanarayana Nayudu:* Is it not a fact that for the conduct of elections to the Corporation of Madras, to the Legislative Council and to the Assembly in the city of Madras, the officers attached to the Corporation of Madras in Madras city are employed very largely and only very few Government officers are requisitioned for the purpose?—I do not know. I know as a matter of fact that a large number of officers in Government departments have been asked to serve as polling or presiding officers even in the city of Madras.

113. But when compared with the staff of the Corporation engaged on this work, the number of officials requisitioned is very small?—I have no knowledge.

114. It is not a fact that for every polling station opened in the city of Madras either for the municipal elections or for the Assembly or Council elections, separate arrangements are made both for exit and entry for women voters?—I have no experience.

115. Is it not a fact that for identification purposes special officers are drawn from the medical profession? Again, are not all facilities afforded for ladies to come and exercise the franchise?

Diwan Bahadur Ramaswami Mudaliyar: My Lord, the member who put that question (Mr. Venkatnarayana Nayudu) was the returning officer for Madras city for the Legislative Assembly and Council elections. He is only pointing out the fact that the larger majority of presiding and polling officers and clerks are drawn from the Corporation staff which is not a Government staff. It is also a fact that for the convenience of women voters separate entrances and exits are arranged at every polling station and that, as far as possible, for identifying purposes, one of the ladies on the health staff of the Corporation is posted at each polling station. These are the factors he wanted to be stressed.

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116. *Mr. Souter:* You have no objection to non-official being appointed as presiding officers?—No.

117. Do you think you will get them for honorary work?—I think we shall have to pay them.

118. If that is the case, the elections will continue to be expensive?—Yes.

APPENDIX.

Memorandum of the Government of Madras on details of procedure at an election of the Legislative Council.

The complete regulations for the preparation of electoral rolls for the general and special constituencies of the Madras Legislative Council made under rule 9, sub-clause (2) of the Madras Electoral Rules and its regulations for the conducting of elections for the general and special constituencies of the Legislative Council made under rule 15 of the Madras Electoral Rules will be found at pages 44 to 64 and 65 to 96 of volume II of the Madras Legislative Council Manual, 1930, a copy of which is enclosed. These regulations have been supplemented by circular instructions issued by Government designed to draw the attention of Returning Officers to the main points in the rules requiring their attention. Copies of circular Nos. 3, 9, 10, 11 and 13 issued in 1930 when the last elections were held are appended. In most districts it has been the practice for the Collectors as Returning Officers to issue summaries of these circulars and of the main points in the rules so far as they concern their duties to Presiding and Polling Officers, and to Tahsildars, on whom falls the bulk of the work in regard to the distribution of ballot boxes, ballot papers, forms and stationery for Polling Officers and also the provision of polling stations and booths in rural areas. In municipal areas where the Chairman of the municipality is the Registration Officer these arrangements are carried out by the municipal authorities. Some of the Collectors' circulars take the form of a questionnaire so framed as to compel the Presiding or Polling Officer to make himself familiar with the necessary rules and his duties before he can answer the questionnaire. There is no normality in the number of polling stations per district or the number of voters allotted to each station or in the number of Polling Officers appointed. For instance, in South Kanara district the number of electors allotted to Udipi polling station is 1,344 while for Belur there are only 78. The instructions of Government are that for each polling area there should be one polling station and that the polling stations should be located in the places most convenient for the electors. The number of voters in a polling area varies very much according to the nature of the country and the thickness of the population. For every polling station there is one Presiding Officer appointed and at least one Polling Officer who is his assistant. The maximum allotment of electors to one Presiding Officer and one Polling Officer seems to be 500 and in some districts the average is about 300. There are no rules on the matter. The Polling Officers are allotted on the assumption that every elector will vote and not on the anticipation of only a percentage voting. A copy of Government Order 571 Law (Legislative), dated 1st December 1930, is furnished. Statement VIII therein gives the number of polling stations during 1926 and 1930 and the number of Presiding and Polling Officers employed, while statement No. V gives the total number of electors in each constituency.

2. The general procedure for an election where the personal vote is required is for the Returning Officer to give public notice of the intended election as soon as notification has been issued by the Governor calling upon the constituency or constituencies to elect a member or members.

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The notice is to be published on the notice board of the office of the Returning Officer and in such other manner as he thinks fit. In the districts such notices are published in all divisional and taluk offices and municipal offices and generally also in local board offices. Village officers are also informed through the Tahsildars and have to publish the notice in the village chavadi. The general elections for the Legislative Council and the Legislative Assembly have so far been held together and on the same day. The Returning Officer who is normally the Collector, has then to make his arrangements for the receipt of nominations of candidates and if there is a contest, for the poll. For each polling area one polling station is to be selected and Presiding and Polling Officers appointed. These are normally officials of the various departments within the district and are appointed by the Collector (Returning Officer) on the report of the divisional officer or the Tahsildar. Along with letters of authority to the Presiding and Polling Officers are sent their instructions. The printing and supply of ballot papers is done from the Government Press, Madras, and the supply of ballot boxes, seals, candles, match-boxes, wax, stationery, etc., is arranged for by the Returning Officer and the actual distribution is made through the taluk officers. Similarly the supply of copies of sections of the electoral rolls is arranged for through the Revenue Divisional Officers who are the Registration Officers. The supply of furniture and necessary arrangements in the villages for the erection of booths where suitable buildings are not available is generally entrusted to the Tahsildars, who in their turn put the responsibility on the local village officers. Police arrangements are made in consultation with the District Superintendent of Police, but the local subordinate officers are at liberty to ask the local Police officers for assistance in case of urgency. Presiding and Polling Officers are generally called together at taluk or divisional headquarters by the Revenue Divisional Officer for instruction and catechism on their duties and they are expected to be at their stations on the night before the election and to verify then that all necessary forms, stationery, ballot boxes, etc., are received. Reserve officers are frequently appointed for polling stations but they do not attend unless those first appointed are, on account of ill-health or other reason, unable to perform their duty. Only the Presiding Officer can mark an illiterate voter's ballot paper or hand to a voter a tendered ballot paper or initial the ballot paper. The marking of the electoral roll, the entering up of the elector's name in the counterfoil is done by the Polling Officers. But the voter after marking his ballot paper according to the rules has again to show it to the Presiding Officer folded so that he can see his initials on the back before putting it into the box. It is estimated that with difficulty a Presiding Officer can cope with 400 voters in a ten-hour day and doubtful whether he can poll so many should there be a large percentage of illiterates. The orders that there should only be one polling station for each polling area and the insistence on certain duties being carried out by the Presiding Officers only along with the absence of any provision for the appointment of additional presiding officers tends to the multiplication of polling areas and stations, and probably some wastage of staff. At each polling station the village officers of the villages comprised within the polling area have to be present to identify votors and the candidates may have polling agents present. Such polling agents have to get a certificate from the Returning Officer which is issued upon the request of the candidate. In addition to the forms in the rules the Presiding Officer has to prepare from the ticked off electoral roll a statement of the number of male and female electors who recorded their votes. As soon as the poll is over the Presiding Officer seals up the ballot boxes, fills up the various forms, collects and bundles up unused voting papers, chalans, tendered voting papers and other forms into separate packets and sends everything to

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the Tahsildar of the taluk through a peon allotted for the purpose. The peon is normally accompanied by a Police Constable. The Tahsildar having collected all the ballot boxes within his taluk sends them as quickly as possible to the Returning Officer who makes his own arrangements for the counting of the votes as rapidly as possible. No special instructions have been issued to Returning Officers as to how they are to count votes. Each Collector evolves his own method. He is generally assisted by Gazetted Officers of the Revenue Department, *plus* a posse of clerks drafted from the Collector's office. The date on which the counting will be done is notified to the candidates and is fixed at the earliest date possible that will allow of all ballot boxes being received. Until all are received and the count begins the boxes are kept in the District Treasury. Counting is generally completed in one day. Copies of voting papers for an ordinary non-Muhammadan constituency and for all an Anglo-Indian constituency, in which the system of postal voting is adopted with the corresponding envelopes and declaration paper are enclosed.

T. G. RUTHERFORD,
Additional Secretary to Government.

GOVERNMENT OF MADRAS.

LAW (LEGISLATIVE-ELECTIONS) DEPARTMENT.

Circular No. 3, dated Stonehousehill, the 12th July 1930.

[Elections—Polling Stations.]

The attention of all Returning officers is invited to the amended regulations 14 and 16 of the regulations for the conduct of elections for the Legislative Council and the Legislative Assembly reproduced below:—

> "14. The Returning Officer shall appoint one polling station for each polling area in each constituency and shall appoint a presiding officer for each polling station and such other persons (hereinafter referred to as Polling officers) to assist the presiding officer as he thinks necessary.
>
> 16. Subject to the provisions of regulation 29 *infra* no elector shall be admitted to vote except at the polling station fixed under regulation 14 for the polling area under which his name appears on the electoral roll."

It will be observed that under the amended regulations there can be only one polling station for each polling area and that every elector must vote at the polling station fixed for the area under which his name appears on the electoral roll. It should be noted that it is not now permissible under the regulations to have more than one polling station in a polling area.

2. Returning Officers are requested to see that in selecting polling stations due regard is paid to the convenience of the electors, the distances they have to travel and the facilities of communication. It is desirable that preference should be given to centres which are easy of access from the surrounding villages and to places where there are hotels or rest-houses for the convenience of electors. At stations where it is expected that the poll will be heavy or that a large number of illiterate voters will

29th February, 1932.] Mr. T. G. RUTHERFORD, Rao Bahadur N. GOPALASWAMI AYYANGAR, Messrs. A. R. C. WESTLAKE & C. F. BRACKENBURY. [*Continued.*

come to record their votes, the Returning officers should arrange for the appointment of a sufficient number of polling officers to assist the presiding officer.

G. T. BOAG,
Additional Secretary to Government,
Elections.

To all Returning Officers,
To the Commissioner, Corporation of Madras.

Forwarded.

GOVERNMENT OF MADRAS.

LAW (LEGISLATIVE-ELECTIONS) DEPARTMENT.

Circular No. 9, dated the 18th July 1930.

[Elections—Presiding and Polling Officers.]

The attention of all Returning Officers is drawn to regulation 14 of the Regulations for the conduct of elections to the Legislative Council and the Legislative Assembly, under which the appointment of presiding and polling officers is left to their discretion. The Government consider, however, that presiding and polling officers should, as far as possible, be officials and that they must be drawn from the following classes:—

(*a*) Officers of the Revenue, Public Works, Forest, Excise and Education departments;

(*b*) Sub-Registrars and clerks in the Registration department;

(*c*) Sub-Assistant Surgeons;

(*d*) Officers of the Public Health department;

(*e*) Officers in the employ of local boards and municipal councils; and

(*f*) Officers of the Veterinary department employed in the Agency.

2. Ministerial officers of the Judicial department may be employed as presiding or polling officers with the previous consent of the District Judge. Subordinates in the office of the Accountant-General and of the High Court may also be employed on polling duty with the consent of the heads of those offices.

3. At stations where there are a large number of women voters, it is desirable that women should, if possible, be employed as presiding or polling officers.

4. Returning Officers are informed that Sub-Assistant Surgeons should be deputed to do the work of presiding or polling officers only if the required number of polling officers cannot be found from among other officials. They are also requested to see that in times of epidemic, officers of the Public Health department are not called away from their proper function for polling duty. Public Works department subordinates and officers in immediate charge of irrigation works for the control of discharges should also not be taken away at a time when floods are probable.

29th February, 1932.] Mr. T. G. RUTHERFORD, Rao Bahadur N. GOPALASWAMI AYYANGAR, Messrs. A. R. C. WESTLAKE & C. F. BRACKERBURY [*Concluded.*

5. If any difficulty is felt in finding the required number of presiding or polling officers from among officials, honorary magistrates and other non-officials may be selected, but care should be taken to avoid the choice of persons who have a personal interest in the elections or those who have been actively canvassing votes for any candidate.

G. T. BOAG,
Additional Secretary to Government,
Elections.

To

All Returning Officers (of personal vote constituencies).
The Commissioner, Corporation of Madras.
The Accountant-General.
The Departments of the Secretariat.
The Honourable the Chief Justice (with C. L.).

Memorandum submitted by the CHINGLEPUT DISTRICT LABOUR GUILD.

I, the Honorary Secretary of the Chingleput District Labour Guild wish to forward to you our view point about the representation of labour. Our Guild represents tannery labourers of the Madras Presidency. There are more than a lakh and a half tannery labourers. All belong to the Adi-Dravida (depressed class) community.

On behalf of them, our Guild gave evidence before the Royal Commission on Labour (refer page 98, Report of the Royal Commission on Labour). All the labourers are illiterate. Their economic condition is pitiable. So I have given the view of the tannery labourers about their representation.

India is a peculiar country in which caste predominates. Labourers belonging to different castes have no sympathy with one another. The question of untouchability predominates among labourers. Hence our Guild come to the following conclusion:—

The labour should be represented on vocational basis as in Russia. In other words people of different employment should vote separately—miners in one group, tannery labourers in one group, agricultural labourers in one group, etc. Each profession should choose its own man. If labour is represented in the Council on vocational basis—constituency will not be on geographical basis.

In the opinion of the Guild, it is the best method of representation for labour. But, if vocational basis is granted, election is too costly. Take, for instance, the tannery labourers. The tanneries are spread throughout the length and breadth of the Madras Presidency. If a constituency is formed on vocational basis, it will be a very big constituency. It is costly for the Government to work the election. The Government would have to spend a lot of money. So I propose nomination on the vocational basis for the representation of Council. If the Government is prepared to spend money, election may be instituted. But it should be on vocational basis. I say it is easier to form constituency on vocational basis than on geographical basis. The vocational basis is the proper way of representing labour in the Council. It is not out of place to mention here that the caste system is essentially a professional system.

Memorandum by the CHINGLEPUT DISTRICT LABOUR GUILD. [*Concluded.*

I wish to point out that this system was suggested to America by William Macdonald, Esq., in his memorable book "A New Constitution for a New America".

If the Government is prepared to institute "Election" for labourers on vocational basis, I propose the group system of voting. For if you institute educational or property qualification, you will not find a dozen men among the lakh and a half tannery labourers competent to come under voters' list.

What I say about the tannery labourers is also true of plantation labourers. As in the tannery, the labourers in plantation are all belong to the depressed classes. In economic and educational conditions the plantation labourers are in the same position as the tannery labourers.

I wish to point out that most of the agricultural labourers are depressed classes.

Summary of the Suggestions.

1. The labour should be represented in the Council on vocational basis.

2. The system of nomination on vocational basis is the best system of representation.

3. But it is not impossible to have electorates among labourers on vocational basis—but it is costly.

4. If election is instituted, group system should be adopted. The poverty of the labourers is great, so there will be a handful of voters under educational or property basis.

5. India is not fit for adult suffrage. Compulsory elementary education should precede adult suffrage. I propose adult suffrage after 10 years.

If you have doubt, the Guild will be pleased to help you by giving oral evidence.

Memorandum submitted by the ALL-INDIA ADI-DRAVIDA MAHAJANA SABHA (Formerly known as The Madras Adi-Dravida Mahajana Sabha), Madras.

1. EXTENSION OF FRANCHISE.

(*a*) The property qualification should be lowered, and further educational qualification should be taken into consideration.

Example: Qualifications of Voters.

(*a*) Voter should not be under 21 years of age (general qualification)—

- (*a*) owns a house or a building by virtue of which he pays a tax of Rs. 2 per annum to the Corporation or Government, or
- (*b*) owns a vehicle by virtue of which pays a license fee of Rs. 4 annually or
- (*c*) pays income-tax or
- (*d*) is a Military pensioner or
- (*e*) who possesses a Secondary School Leaving Certificate or
- (*f*) occupies a house whose annual tax is Rs. 2.

(*b*) By the Montagu-Chelmsford Reforms, Franchise was widened. In the first election which was held after the Montagu-Chelmsford Reforms many people who were newly enfranchised came to me and asked my advice. In the second election they became intelligent. I think it would

have been the case everywhere. The men who came to possess votes by the Reforms of 1832 in England would have exercised their votes *intelligently only* in the 2nd or 3rd election.

So when the people become accustomed (by 2 elections) they will cast intelligent votes.

N.B.—In order to obtain this result—the duration of the Provincial Councils should be 3 years (and not 5 years as recommended by the *Simon Commission*). Further *if possible* the term of the local bodies such as Municipal Council should be 2 years so that people may become accustomed to election. The system of compulsory elementary education should be imposed (in the City of Madras the system of compulsory elementary education is in existence only in name). If the Committee wants further information I am prepared to give.

(*c*) Yes, it is manageable.

(*e*) The answer to this question is found in the *Note* given to the answer to the question (*b*).

(*f*) This system (group) is feasible. The group voters should vote in the same constituency as the directly qualified voters.

(*g*) No.

(*h*) It is not advantageous to abolish all qualifications for voters. Group system should be instituted to those who have no votes.

(*j*) No qualification is necessary.

2. FRANCHISE QUALIFICATIONS.

(*b*) Yes. I propose "weighted votes" for the *depressed classes* alone. They form a microscopic minority.

My system of "Plural voting" or "weighted votes as Professor Sidwick names it" is slightly different from the Belgian system.

The Belgian system lays stress upon wealth, I lay stress on education with age.

(*c*) Yes, the people who possess property have more responsibility than those who do not possess, see Answer to question I (*a*).

(*d*) Yes—See answer to question I (*a*).

(*e*) I want to extend it further. Not only pensioned officers but all pensioned military men.

3. WOMEN'S SUFFRAGE.

(*a*) The age may be 21 years. I do not agree with the proposal of the Statutory Commission.

(*b*) No separate groups for women.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The depressed class voters form a microscopic minority. If reservation of seats in the joint electorate is proposed for the Depressed classes; *Real Depressed* class Representatives will not enter the Council. The system of reservation of seats in the Joint election is worst than nomination. It is nothing but a nomination by the caste people. The Depressed classes who enter the councils with the help of the caste-Hindu votes will not work for the depressed classes. I wish to substantiate my statement by the following quotation taken from the Indian Central Committee report.

Memorandum by the ALL-INDIA ADI-DRAVIDA MAHAJANA SABHA. [*Continued.*

"The following evidence of the Depressed Classes Deputation before the Joint Conference in Bengal on January 21st, 1929, will clear the position:—

Q. 201. Is it not a fact that there are half-a-dozen Depressed Classes men who are members of the Provincial Council here in Bengal?—

A. No, we have one nominated and two elected only, and those two came in with the other people.

Q. 202. Are not those two helping you—

A. No, not in the least.

Q. 203. Why?

A. Because they came in with the caste Hindus.

Q. 204. You mean because they came into the Council with the support of the caste Hindus?

A. Yes.

Q. 205. And therefore they are subservient to the caste Hindus there?

A. Yes.

Q. 206. And they are not in a position to help you?

A. Not at all.

Further I wish to point out to the Committee that all the associations that appeared before the Simon Commission favoured "Separate Electorate". This has been pointed out to us in the Simon Report, Vol. II, page 65 which says "that most of the Depressed classes, Associations which appeared before us favoured separate electorate with seats allocated on the basis of population, though one or two still wished to retain nomination".

It is not out of place to point out to the Committee that some interested persons want the Depressed class associations to choose the representatives to the Council. I say it is out of harmony with the desire of the depressed classes. At present there are more than a dozen depressed classes' associations and none of them represents the depressed classes as a whole. If the system of election by the associations come into existence, a crore of associations would come into existence. Further the Government in order to make the representative subservient to it, will recognise only those associations which are subservient to it. Depressed classes should be given "Weighted Votes" based on education.

N.B.—If an opportunity is given I will give oral evidence and explain the matter.

Except separate electorate no other system will satisfy the depressed classes.

5. REPRESENTATION OF LABOUR.

I propose vocational basis of representation not by election but by nomination. In nominating Labour Representatives caste also should be taken into consideration.

India is a peculiar country in which caste predominates.

All the labourers in the tanneries are depressed classes. All the owners of the tanneries except a few are Muhammadans (refer page 98 of the Report of the Royal Commission on Labour in India). A Muhammadan labourer who represents, say the mill labourers will not sympathise with the tannery labourer. The Muhammadan labourer will join his coreligionist. I mean the Muhammadan tannery owner.

Hence I pay special attention to caste.

Memorandum by the ALL-INDIA ADI-DRAVIDA MAHAJANA SABHA. [*Concluded.*

II.—FEDERAL LEGISLATURE.

(*a*) I propose " List System " of voting.

(*b*) Yes, higher qualifications.

(*c*) The same system which is in existence for the Legislative Assembly.

Mr. J. SIVASHANMUGAM PILLAI, representing the Chingleput District Labour Guild and All-India Adi-Dravida Mahajana Sabha.

1. *The Chairman:* Mr. Pillai, your represent the District Labour Guild, Chingleput?—Yes.

2. Are you speaking on behalf of labour or on behalf of the depressed classes?—Labour as well as depressed classes. I represent the Chingleput District Labour Guild and the All-India Adi Dravida Mahajana Sabha.

3. I understand that you consider that labour should be represented in the council on a vocational basis and that it should be done by nomination? —Yes; but if the Government are prepared to bear the cost, we have no objection to elections being held to secure this representation.

4. Who is to nominate labour members?—The Government must nominate.

5. The Governor or the Ministers?—I mean the Ministers responsible to the Legislature.

6. You say that if election is instituted, the group system should be adopted. What do you mean by that?—There are any number of tannery labourers belonging to the depressed classes. They are very poor and so would not come on the electoral roll. My idea is that they may be classed into groups of 50 or 60 and given power to elect one man from each group, who in his turn will elect a candidate standing for the Council.

7. Supposing the qualification for a voter was lowered so that it would include a good number of the depressed classes or of labour, would you still think that nomination was a better way than election?—No. If the Government are prepared to spend money on an election, I have no objection to it.

8. Supposing Government are prepared to meet the cost and you have a large proportion of the depressed classes on the electoral roll, would you still think that nomination is better than election?—Election is better than nomination; but it should be on a vocational basis.

9. How would you organise vocational constituencies? Have you got any proposals for doing that?—The Labour Guild should be registered. Every guild which has about 100 members should elect one man and he, in his turn, must elect the candidate who stands for the Council.

10. On what basis would you organise your labour guild?—I will put all transport workers in one group; then tannery workers; then agricultural workers and so on.

11. You say that India is not fit for adult suffrage. You propose adult suffrage after 10 years. Is that your personal view or the view of your association?—It is the view of my association.

12. *Mr. Bakhale:* You said that labour should be given representation on the vocational basis?—Yes.

13. At the same time you suggest that caste also should be taken into account?—Yes. All the labourers who are in the tanneries are depressed class men. So, you must take caste into account. Then, all the agricultural labourers are also depressed class persons.

14. Take the railway labour, for example, where you have got Muhammadan labour, Hindu labour, Anglo-Indian labour and also, to a certain extent, depressed class labour. If railway labour is to form one constituency, how would you bring in caste there, so as to return to the Council, a man belonging to a particular caste?—I am only speaking of the labour unions in which the depressed classes predominate. In the unions of tannery labour and agricultural labour the depressed classes predominate and they can easily be organised on that basis.

15. So, you are saying that where you have a preponderating element of depressed class labour, the depressed classes should be taken into account particularly?—Yes.

16. The idea of sending labour people to the legislature is to protect the economic interest of the workers?—Yes.

17. In a tannery where you have got depressed class labour, Hindu labour and Muhammadan labour, surely it ought to be immaterial to you whether, so far as the economic grievances are concerned, they are represented by a Hindu or a Muhammadan or a depressed class man?—No, Sir. For instance, all the proprietors of the tanneries are Muhammadans and representatives of labour if they are Muhammadans would rather join their co-religionists than represent the interests of the labourers, especially depressed class labourers.

18. So you say that the tannery labour may be made a constituency?—Yes.

19. There will be Hindu labour, Muhammadan labour and depressed class labour?—In the tanneries all the workers are depressed class members.

* * * * *

20. But in groups like railway labour, for example, where you have got Muhammadans, Hindus and depressed classes, are you in favour of making a discrimination between a depressed class man and a non-depressed class man?—As far as that is concerned, I have no objection.

21. You want representation for every class of trade and industry?—Yes.

22. It means that you want larger representation than the Madras Provincial Franchise Committee is willing to give you?—That is not my concern.

23. You are in favour of labour representation being increased substantially so as to cover all these elements?—Yes.

24. You say that you are in favour of the group system?—Yes.

25. Are you in favour of the group system in the case of those people who may not be directly enfranchised?—Only for those who are not enfranchised.

26. Suppose now 10 per cent. of the population is enfranchised on the direct system, would you still be in favour of it?—Then, I would do away with the group system.

27. Then you do not want this group system at all?—Yes, we want the group system. If the Government are prepared to have the group system, they must include only those who are not enfranchised.

28. Suppose only 10 per cent. of the population is going to be enfranchised, then for the rest you propose the group system?—Yes.

29. The poorer sections of society will then come under the group system?—Yes.

30. Then for the poorer sections you propose the indirect way of enfranchisement?—Yes.

31. Don't you think that this kind of class distinction which you are going to make will create trouble?—I think it will encourage people to acquire more wealth so that they may be included in the general electorate.

* * * * *

32. *Major Milner:* Most of your people are engaged in tanneries?—Yes.

33. Is the economic condition of the tannery workers very bad?—Yes.

34. There are about 150,000 of them in this province?—When I gave evidence before the Labour Commission I stated that they numbered about a lakh and odd.

35. And you employ quite a number of young people between 8 and 12 years of age working long hours?—Yes.

36. And there are a good many other conditions which were noticed by the Labour Commission?—Yes.

37. It is a very scandalous state of affairs, the most scandalous I have heard of since I came here. You call yourselves the Chingleput Labour Union and you are doing what you can to help tannery workers. And you are in favour of their being represented because of their particular vocation as tannery workers. Would it not precisely meet your position if your labour union is made either a whole unit to send a representative to the legislature or one of two or three other industrial units to send members to the Council?—I do not understand you.

38. Would you not like your labour union to send a member to the legislature to represent your workers?—Yes.

39. And don't you think your union could represent the workers in your industry better than any individual picked up from anywhere?—Yes.

40. Would not that proposal precisely meet what you want?—Yes, it will meet what we want.

41. Are you aware that the Whitley Commission recommended that in the case of industrial workers, subject to certain conditions, unions such as yours should be the units to send either in whole or in part members to Parliament?—Yes.

42. That is precisely what you want?—Yes.

43. You therefore tell the Committee that you wish your union with other unions to send members to Parliament, and you are content that they should be the units for the purpose?—Yes.

44. *Khan Bahadur Aziz-ul-Huque:* Is your union open to caste people?—It is open to all members of the depressed classes, because the workers themselves are depressed classes.

45. You say that in the future both in regard to representation as well as labour union formation you have to take account of caste?—Yes, so that the labour unions may be recognised.

46. The caste is also to be the predominating factor in the labour unions?—India is predominantly a country of caste system. Had it not been for that, we would not have been in this condition.

* * * * *

47. I want to know whether your union will refuse admission to a man not belonging to the depressed classes.—First and foremost I may say that no caste man works in a tannery.

48. I mean a non-depressed class man.—If he is a tannery worker, we will permit him to be admitted. So far as our union is concerned, it is open to all tannery workers.

49. Therefore it follows that when the question of labour representation comes up, you do not confine it to the depressed classes, but it would also be open to the non-depressed classes?—You must understand the peculiar position of the tannery workers.

50. I have perfectly understood it. I want you to realise the difficulty in which we are placed. You want that the representation of your labour union should be confined to certain classes?—You may have difficulty, but it is my desire that we should be represented.

* * * * *

51. *Mr. Chintamani:* Why have you got such faith in nomination?—I have written on it clearly. If the Government are prepared to spend money, let them have election. If not, let them have nomination. I would leave the choice to Government.

52. Do you think election on a vocational basis, which means a constituency extending over the entire Presidency, is practicable?—It is practicable.

53. How would you manage it?—For instance, take tanneries. They are not scattered throughout Madras Presidency. In Kodambakam the tanneries are very near one another. In Pallavaram also they are near one another. The tanneries in Kodambakam may be asked to elect one man and so on.

54. Suppose all tannery workers in the Presidency are given one member in the Council and there are tanneries practically everywhere in the Presidency. Then, how would that one member secure the votes from all tannery workers in the whole Presidency?—The man who stands as candidate must send letters to all the people. It is not possible for him to visit personally all the tanneries.

* * * * *

55. *Mrs. Subbarayan:* Are there any women workers in these tanneries?—There are.

56. Are they members of your guild?—Some of them are.

57. Do you think, if your union is given representation, a woman is likely to be elected?—There are very few women in the tanneries.

58. *Sir Sunder Singh Majithia:* You have said in reply to the question of the Chairman that you would like nomination. But Major Milner got a reply from you that you want your guild to return a member. Would you like both things?—One of them. Either the one or the other.

59. You seem to be very fond of the group system. You said that the total number of tannery workers, which is 1¼ lakhs, should be formed into small groups. Would that be possible in India?—Yes, it is possible.

* * * * *

60. *Mr. James:* Supposing it is not possible to have representation through trade unions, and supposing all workers in factories coming under the Factories Act, including tannery workers, are given a vote each, and on that basis they elect a member as their own labour representative, would that meet your point of view?—Except two or three tanneries, the others are not included in the Factories Act. We requested the Labour Commission to include all tanneries under the Factories Act.

61. Supposing all the tanneries which have more than 20 workers are included in the Factories Act, then would you agree to that system?—Yes, I would agree.

* * * * *

62. *Mr. Basudev:* The Madras Provincial Franchise Committee recommended that all wage-earners earning Rs. 15 a month and more, working in factories as defined in the Factories Act, should come under a separate constituency in the electoral roll on a territorial basis.—I want a vocational basis. I am opposed to the territorial basis.

63. *The Chairman:* How many of your tannery workers have now got the vote?—Very few. About a handful of them.

64. What is the average income of a tannery worker?—About Rs. 10 or Rs. 11 a month.

* * * * * * *

65. You say that the workers in the tanning industry and the other industries are not well organised. Until such a state of things comes about, would you agree to joining the other industrial labourers in sending representatives to the Council on a territorial basis?—No.

66. *The Chairman:* Now we will examine you on the question of the depressed classes. You say that the depressed classes form a microscopic minority. I understand from the Census figures that 7 millions are grouped under the term 'depressed classes'. Is that correct?—If my memory is correct, I think they form 4 per cent. of the voters.

67. I am talking of the population?—The population of depressed classes in this Presidency is 71 lakhs.

68. What you mean is that they form a microscopic minority of the voters?—Yes. The population of caste Hindus is, I think, about 3 crores and 45 lakhs, whereas the population of the depressed classes is only 71 lakhs.

69. What I am asking you is this. The depressed classes have very few voters on the rolls. That is what you mean by microscopic minority?—Yes.

70. You suggest a system of plural voting. Would you explain what you mean by plural voting?—My system is altogether different from the system which is now in existence in Belgium. For instance, in Belgium a man who is 21 years old and who is a resident of a place for one year will have one vote; and when he becomes 21 years old and has a legitimate son, he will have a supplementary vote; and when that man is a graduate, he will have another supplementary vote; so that the total votes are three. But my system is this. A man who is 21 years old will have one vote. If that man is a Secondary School Leaving Certificate holder, he will be given two votes; then, if he is a graduate, he must be given three votes. So it is slightly different from the Belgian system.

71. He gets one vote on the day he reaches 21 years. At what point does he get the second vote?—If he is a Secondary School Leaving Certificate holder, that is if he passes the School Final examination.

72. What is the benefit for the depressed classes in your proposal?—All the voters are ignorant people. So if a weighted vote is given on the basis of education, naturally the educated man will give a considered vote and an intelligent vote.

73. What is your proposal, I want to know?—Suppose I am 21 years old and a voter. If I am a Secondary School Leaving Certificate holder, I will have a secondary vote. If I am a graduate I will have three votes.

74. How is that connected with the depressed classes?—All the voters are ignorant people. An educated man will give an intelligent vote. If he is a graduate, he is equal to three uneducated voters.

75. I understand there are very few educated people at present among the depressed classes. Is it so?—There will be about 3,000 to 4,000 Secondary School Leaving Certificate holders.

76. You say that the method of reservation of seats in the joint electorates would not produce adequate representation of the depressed classes and therefore you want separate representation. Is it your view that there must be separate electorates?—Yes.

77. And you give your reasons in your memorandum?—Yes.

78. *Khan Bahadur Aziz-ul-Huque:* Am I to understand that according to your system you want to give representation to each sub-caste of the depressed classes. I want to know if there is any difference between the two?—The difference in the sub-caste is not so great as in the Brahman

community or the Mudaliyar community, and I do not want to make the breach greater.

* * * * *

79. You say that the property qualification should be lowered and voters should not be under 21 years of age and also that they should possess a Secondary School Leaving Certificate. That, I understand, is the Matriculation Certificate?—Yes.

80. Why do you fix such a high qualification? Do you think you will get many on to the electoral roll by this qualification?—This is one of the qualifications: I have given so many.

81. Do I understand that you will get a large number of depressed class people on to the electoral roll by this qualification?—Yes.

82. How many depressed class people would be matriculates?—Two or three thousand.

83. You are proposing the group system for men but you do not want the principles of the group system to apply to women. That is what you mean by " no separate groups for women "?—Yes.

84. Or do you mean that women should not be grouped separately but that they should be grouped with men?—They should be grouped with men: they should not form separate groups.

85. Do you think that women would be elected by that system?—There is only one woman graduate in my community. If separate election is given to ladies I think those seats will be enjoyed by high caste ladies only.

86. What educational qualifications would you fix for women? Would it be the same as for men?—Yes.

87. You would not like to enfranchise people who do not possess property?—I have given the property qualification here. If a man pays a tax of Rs. 2 per annum he should be given the vote.

* * * * * * *

88. You do not want to give votes to men but you say that " the group system should be instituted for those who have no votes "?—If the Government want to give them I do not stand in the way.

89. *Sir Zulfiqar Ali Khan:* The Provincial Committee have expressed the view that the depressed class voters should be included in the general electorate with the Hindu community. Are you agreeable?—I think the suggestion was made by the Madras Provincial Statutory Commission when the Simon Commission visited India. Now that you have suggested it I am thankful to you. I say I don't want to lose any seat and at the same time I want a vote in the joint electorate. If you accept my proposition I want a sufficient number of seats and at the same time a voice in the general electorate. I want seats proportionate to the population. If you are prepared to give more seats I am prepared to take them.

90. Are you asking for more?—Yes.

91. Do you find intelligent men amongst the tannery workers?—I think there are no competent men amongst the tannery workers.

92. Therefore you would welcome an outsider to represent them?—Yes.

93. *Sir Muhammad Yakub:* Would you give an additional vote only on an educational qualification or on any other qualification also?—Educational qualification along with age.

94. For instance if a man possesses immoveable property, on that basis, would you give him a second vote or not?—The votes should be limited

95. Would you also give additional votes for an additional number of wives?—No.

96. Do you know anything about the minorities pact which was entered into at the Round Table Conference in London? Do you stick to that pact? —Yes, I want a separate electorate.

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97. And anything beyond that pact is not acceptable to you?—No.

98. *Dr. Ambedkar:* Have you heard of the All-India Depressed Classes Association?—Yes.

99. Mr. Rajah is President?—Yes.

100. Is there any branch of that Association in Madras?—I do not know.

101. You know that this is a very important association, this All-India Depressed Classes Association. It claims to represent all the depressed classes of India?—So far as I am concerned, I am ignorant of it.

102. You have very truly said that Mr. Rajah has the right to change his opinions but you do maintain that Mr. Rajah's opinions are not the opinions of the Adi-Dravida Mahajana Sabha?—No.

103. You still stand for separate electorates?—Yes, and that is the opinion of the All-India Adi-Dravida Mahajana Sabha.

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104. In your statement you condemn the proposal that the Depressed Classes Association should elect a member to the Council. Suppose the Association as a representative body had the right of sending a representative to Council, would you still object?—Yes.

105. In your answer to Question 1 clause (*b*) you say " In the first election which was held after the Montagu-Chelmsford reforms many people who were newly enfranchised came to me and asked my advice. In the second election they became intelligent ". Can you kindly explain what you mean?—That is the case everywhere. For instance, in England when the Reforms of 1832 were introduced the people did not understand them. Naturally after two or three elections they all became intelligent. That is my meaning.

106. Why did not the voters of the labouring class seek advice in the second election?—Because they had become intelligent.

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107. *Mr. Sivaraj:* You spoke of the All-India Depressed Classes Federation. Was that formed after the Madras Provincial Reforms?—I came to know about the Depressed Classes Federation very recently.

Memorandum submitted by the MADRAS CHAMBER OF COMMERCE.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF FRANCHISE.

(*a*) It is suggested that as a first and immediate step, the franchise of the amended District Municipalities and Local Boards Acts be adopted. This would give a vote to any one who paid any form of tax either to Government or to any Local Body, and would enfranchise about 5 million people or over 10 per cent. of the population.

(*b*) Such an electorate would be capable of casting an intelligent vote as it would receive rapid education through the elections to Local Bodies.

(*c*) Such a franchise would be administratively manageable as elections are shortly to be held all over Madras on this basis for Local Bodies, and the electoral rolls are nearly complete.

(*d*) Does not arise.

Memorandum by the MADRAS CHAMBER OF COMMERCE. [*Continued*

(*e*) It is not considered either practicable or desirable that there should be any further extension of the franchise until the proposed rolls have been used for a period of 10 years or for 3 Legislative Council elections.

(*f*) Although in theory a group system might be desirable as a basis for adult suffrage, it is not considered practicable at the present moment. It must be remembered that the Panchayat system, which at present is the smallest unit of Local Self Government, has not yet been extended to the whole of the Presidency.

(*g*) If the group system were adopted it is considered most important that only group electors should be qualified to stand as candidates for such constituencies.

(*h*), (*i*), (*j*) Does not arise in view of the answer given to (*f*).

2. FRANCHISE QUALIFICATIONS.

(*a*) The answer to this question is in the negative.

(*b*) It is not considered that the voting strength of each community should necessarily be proportionate to its numbers, as there are other considerations than the population to be taken into account. On a purely population basis Europeans and Anglo-Indians would receive no representation at all, and the Mohammedan community would receive little consideration. In the case of certain small but important minorities it is essential that there should be " weightage ".

(*c*) The possession of property or the payment of tax is considered a necessary qualification for franchise at present.

(*d*) The answer is in the negative.

(*e*) It is agreed that the existing military service qualification for franchise should be retained, but that it should not be extended to include service in Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) If the proposal is to make the amended Local Boards and District Municipalities franchise the basis for the new franchise, it is estimated that some 655,000 women will be enfranchised. It is not therefore considered necessary that there should be any further increase at present in the Women's electorate as on the suggested basis there will be an automatic increase as the years pass. It is urged by some that owing to the Hindu laws of inheritance, women are not entitled to hold property and therefore many Hindu wives will not receive the franchise. It is suggested that the remedy lies rather in the modification of the property laws than in giving special treatment to women for the purpose of franchise.

(*b*) If the group system is established, each group should consist of both men and women.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

Even with the suggested extension of the franchise it is unlikely that the depressed classes would be able to secure representatives of their own choice in the general electorate. It is therefore considered that for a period of at least 10 years the depressed classes should be given separate electorates with a fixed number of seats in the Legislature. It is possible that a lower franchise may be necessary for these people and if so the group system might be adopted. The basis of the group can at present be found in the " Sangams " which are formed in various districts. If these " Sangams " could be encouraged and given definite areas and divided into village groups the scheme might prove to be administratively possible.

At the end of the stated period of 10 years the community should be given the choice between a continuance of the system of separate electorates

and the reservation of a certain number of seats to which representatives would be elected by the general electorate.

5. REPRESENTATION OF LABOUR.

It is agreed in principle that labour should receive separate and special representation in the Legislatures.

(*a*) In the case of industrial labour it is generally agreed that membership of Trade Unions would, in their present stage of development, provide an unstable and unsatisfactory basis for franchise. It is suggested that representation be provided for Madras and upcountry labour on the basis of a franchise for *bonâ fide* labourers receiving a wage of not less than Rs. 15 a month. The rolls would be revised annually and each labourer would have to prove employment for not less than three months before enrolment as a voter. This would ensure the representation of labour by labour.

(*b*) In the case of agricultural and plantation labour, as this is largely depressed class labour, it is suggested that provision of separate depressed class constituencies would provide adequate representation for this form of labour. The greater part of labour in South India is agricultural or depressed class and therefore this would deserve a far larger representation in the Legislature than industrial labour.

II.—FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) The proposal of the Federal Structure Committee in regard to election to the Upper Chamber by Provincial Legislatures by the single transferable vote is agreed to.

(*b*) If a system of direct election is adopted for the Lower Chamber, it is suggested that the basis of the franchise should be the same as the existing franchise for the Assembly.

(*c*) It is suggested that it would be better to adopt indirect election to the Lower Chamber and direct election to the Upper Chamber on the basis of the existing Council of State Roll. The opinion of the Local Franchise Committee, however, which will study this question in all its aspects, will be accepted by the Chamber.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

For a period of 10 years it is suggested that a certain number of seats in the Legislature should be reserved for women. It has been proposed that labour and the depressed classes should be represented through their special or separate constituencies. The precise method adopted should be revised after a period of 10 years.

MADRAS.

Dated 1st March, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE MADRAS PROVINCIAL FRANCHISE COMMITTEE.

Mr. F. E. JAMES, M.L.A., representing the United Planters Association.

Mr. W. O. WRIGHT, representing the European Association.

Mr. F. BIRLEY (Chairman), Mr. K. KAYE, } representing the Madras Chamber of Commerce.

1. *The Chairman:* Mr. James, I suppose you will give evidence in chief?—Yes.

2. Will you first of all give the membership of your Association, the Chamber of Commerce?—I think, perhaps, I ought to explain that we represent the Chamber of Commerce, the United Planters Association, the European Association and the Trades Association. Of course we have, more or less, agreed upon one memorandum.

3. You represent all the three Associations?—Yes, we represent all the three.

4. Can you tell me, first of all, the European population in this Province?—Roughly, 13,000 according to the 1931 census, not including the Anglo-Indians and not including the Troops.

5. Can you tell me what the membership of the Chamber of Commerce is?—There are 60 and odd firms represented in the Chamber.

6. It is not easy to answer what the capital invested would be?—No, it is a difficult thing to answer adequately, but figures could be obtained.

7. I see your evidence taken as a whole corresponds very closely with the views expressed by the Madras Provincial Committee, except that you do not propose an educational qualification for women?—No.

8. Why do you dissent from that recommendation?—Because we understood that the basis of the women's demands was equality with men; and as we were opposed to any educational test for men, we thought we should oppose any educational test for women.

9. Have you any views on the proposal that for the first 10 years, say, a number of women should be elected by some special means for the Legislature in order to look after the special interests of women during that period?—I think we should agree that something is necessary, possibly a reservation of seats.

10. You are willing to make that departure from abstract equality?—Certainly.

11. As regards the depressed classes, you mention in your memorandum that " the basis of the group can at present be found in the ' Sangams ' which are formed in the various districts. If these ' Sangams ' could be encouraged

and given definite areas and divided into village groups the scheme might prove to be administratively possible ". Will you explain what this is, if only for the benefit of the Parliamentary members?—I think, perhaps, two of us might explain that from two points of view. In the first place, as regards the 'Sangams' in the planting areas, where labour is almost entirely composed of the depressed classes, it is difficult to find out what they are,—a sort of mutual improvement society, and they sometimes develop into a kind of sub-caste; but originally they begin as social groups very loosely defined as to area, but they are the kind of group that will co-operate at every festival and sometimes they form the basis of a rudimentary co-operative society.

12. Is that universal amongst this class?—No; I think Mr. Wright can give his experiences from the industrial areas.

(*Mr. Wright*): I don't think I can add much to what Mr. James has told you. In the industrial areas in which my own firm is interested we have found that some societies have been formed amongst our labourers and it is usually, as Mr. James has described it, for mutual improvement. Occasionally the members of the 'Sangam' subscribe throughout the year in order that they may have a fund to celebrate some particular festival together.

13. It can hardly be said to be the basis for a universal group system? —(*Mr. James*): No.

14. If you are going to have a group system you must have it by grouping lots of 20 or so?—This system might be utilised in particular areas for particular classes.

15. Turning to Labour, what percentage of labourers would be included in your special constituency if the basis was the receipt of a wage of not less than Rs. 15 a month. Can you give us any idea?—It is very difficult to say. The proposal in our memorandum was rather a general one and the Provincial Committee and the Government, adopting the suggestion as a general principle, proposed that as a working basis you should take the factories registered under the Factories Act and enfranchise all labourers working in such factories who are in receipt of Rs. 15 or more. That would enfranchise, working on the 1931 figures, 136,000 adult workers in the Presidency.

16. Out of how many?—It is difficult to say how many workers there are. The 1921 statistics will give that figure.

17. You remember yesterday the representative of the Tanneries said that the average monthly wage was not more than Rs. 12. They would not get enfranchised on such a basis?—Well, I don't know about the Tanneries. It would be quite possible to lower the minimum, if necessary.

18. I was wondering whether it would enfranchise, in practice, the ordinary worker or only the higher paid groups?—(*Mr. Wright*): I don't know anything about Tanneries. I think a Rs. 15 wage would enfranchise the bulk of the adult workers.

19. What representation has the European, on the one side, and Commerce and Industry on the other, in the Council?—There are two seats for the Chamber of Commerce in South India; one seat for the Planting Association; one seat for the Trades Association; and one seat for the General European Constituency; a total of 5.

20. It has been suggested elsewhere that the European seat should be merged with the Commercial seat. Have you any views on that?—Yes, Sir. The claim for the representation of Europeans *qua* Europeans is rather on these grounds: the seats occupied by the special representative of the Chamber of Commerce and the Planting Association are seats which are held by men who are, mostly, senior men and who are put in for a definite purpose. They are put in mainly to watch the particular interests whether

1st March, 1932.] Messrs. F. E. JAMES, W. O. WRIGHT, F. BIRLEY & K. KAYE. [*Continued.*

Planting or Industrial; and therefore the European community feel that they should have an opportunity, as Europeans, of representing what I may call the British point of view in this country, and they feel the more so inasmuch as in the new Councils that are organised, it is practically certain that the official element will be ousted entirely and therefore the British official will not be in the legislature. There is another reason which I might put forward at this stage, and that is that there is a considerable awakening among the younger section of the British community in this country which has taken various forms in different places; in some places they are known as the new Royalist organisation which is an organisation of younger men and I know from my contact with them that they are very anxious that the younger section of Britishers should be represented. If the representation is left entirely to the Chamber of Commerce, there is a likelihood that it will send only the senior men.

21. The proposal, I understand, is to increase the legislature to 220?—That is the proposal of the Local Committee.

22. On that sort of basis what representation would you suggest for these special interests?—We suggest that there should be a total number of 8 European seats as opposed to 5 which gives us a little less than our present proportion in the legislature. Of those 8, three would be elected by a joint constituency of the Chambers of Commerce in South India and the Trades Associations in South India; two would be elected by the Planting constituency; and three by the general European constituency.

23. *Sir Sunder Singh Majithia:* In your memorandum you give the figure of 655,000 women who will be enfranchised?—I think that included the educational test as well.

24. *The Hon'ble Mary Pickford:* With regard to that same passage, you say " it is suggested that the remedy lies rather in the modification of the property laws than in giving special treatment to women for the purpose of franchise ". Do you think those laws are likely to be modified?—I think so, if there is an improvement, at any rate for the next few years, in your representation in the legislatures. I do not think the addition of three or four thousand voters will make any difference with regard to adequate representation in the legislature.

25. The literacy qualification would increase it by about 50 per cent. Have you any strong objection to that qualification?—We are not in the least opposed to the fullest possible representation of women that can be arranged. Our fear in drafting this paragraph was this, that if you made a special arrangement whereby a larger number of women came on to the electoral rolls, in spite of the Hindu inheritance disqualification, then you might run the risk of perpetuating what we consider to be an unfortunate law in regard to inheritance.

26. You think it more likely that there would be an agitation to alter the law if women voters were left out?—Yes.

27. *Mrs. Subbarayan:* Do you think that women will agitate all the more on the ground of their own disqualification?—I hope so.

28. Don't you think it very desirable to increase the women voters now?—We should not object in the least to the increase. Our fear was that if you increased them by artificial means then the obstruction of these particular laws would, in a sense, be taken away and therefore the reason for the agitation would be removed.

29. In your answer 3 (*b*) you say that the groups should consist of both men and women. Do you think that women will have a chance of being elected as secondary voters, if grouped with men?—I don't see why they

should not. In certain parts, for example in Malabar, their chances will be very good, but you know more about that.

30. What about other parts?—I don't know.

31. As regards the representation of women in the legislature, what machinery would you suggest for filling the reserved seats?—We don't have any particular views about that. We rather left that to the Local Committee to suggest. Our main point was to make (at least for the first time) some special arrangements whereby 3 representatives might be ensured.

32. *Sir Ernest Bennett:* You say in your memorandum in answer to Q. 1 (*f*) " although in theory a group system might be desirable as a basis for adult suffrage, it is not considered practicable at the present moment ". Are you thinking of administrative difficulties there?—Yes, I think that is probably the main difficulty; and also this fact that the direct system of election has gone further in this Province than in any other province and if you now introduce the group system it would mean a re-casting of the whole administrative machinery.

33. You have not heard of the hybrid system?—It could not be worked administratively. We thought it would be difficult to work the hybrid system in view of the Panchayats.

34. *Sir Muhammad Yakub:* Do you think there is a real and definite desire among the people of India to give an extensive franchise to their women?—I don't know whether it is a very easy question for us to answer.

35. Therefore I put it to you. For instance, what are the conditions in Madras? Is there a very keen desire among the people of Madras to give an extensive franchise to women, even if it were by giving them concessions?—I can only say as a member of the Local Franchise Committee that it was the unanimous feeling of the members of the Committee, without exception, that there should be a considerable increase in the franchise for women.

36. I do not understand what you mean by " considerable ". Do you think we should give artificial qualifications to bring them in large numbers on to the electoral roll?—That was not our opinion when drafting this memorandum.

37. Your opinion is that women should come in their own right like men?—Preferably.

38. Do you think a very large number of women in India would be able to use their right of franchise, if it was given to them?—I think we are hardly in a position to say that.

39. What was your experience of the last elections?—If you want my personal experience, I think, so far as Madras is concerned, provided the elections are fought on fairly clear issues, a fair percentage of women will go to the polls, if proper arrangements are made.

40. By having separate polling booths and preferably ladies as returning officers or presiding officers?—Certainly, if necessary.

41. If that cannot be managed you think that a large number of women voters would not attend?—I think it can be managed.

42. If it could not be managed?—I suppose it would be more difficult, but I don't admit that it could not be managed.

43. Would you like the Europeans in the Madras Presidency to be grouped with the Anglo-Indians and a joint electorate be given to the two amalgamated communities?—No.

44. What is your objection?—For one thing, our interests are quite different.

1st March, 1932.] Messrs. F. E. JAMES, W. O. WRIGHT, F. BIRLEY & K. KAYE. [*Continued.*

45. In what respect?—In almost every respect. Our economic life, our social life and our political organizations are distinct.

46. Don't you think that in a country like India where there are so many castes and creeds and different interests, if special representation is given to every small group, caste and creed probably nothing will be left for the general electorate?—There is, of course, always that danger if we go too far in the matter.

47. Are you satisfied with the number which has been suggested now?—On the whole, I think, taking the recommendations of the Government and the recommendations of the local Franchise Committee, the proposal is a workable one and it gives fair representation to special interests and communities.

48. If special representation and separate electorates are given to all the different interests, what would be the balance left for the major interests and major communities?—I think, you will see from the memorandum that a very considerable balance is left to the general electorate.

49. *Mr. Butler:* How would you choose three representatives of the European Association?—Probably by dividing the tracts into three electoral areas. It is only a suggestion, one might possibly be Madras and Chingleput where there are about 4,000 Europeans, one for Nilgiris and Coimbatore where there are another 4,000, and then the rest including the Northern District for the third area. Some arrangement like that could be made.

50. You mentioned the Royalist organization. Will you have one representative of that organization?—I think it would be the wish of the community generally that the younger men should come forward.

51. As candidates?—Yes. The only difficulty of younger men taking up this work is that they are not always in a position to give the time that the more senior men are giving. I think I am speaking for my colleagues when I say that we should welcome the presence of younger men and definite arrangements for their coming in.

52. *Mr. Chintamani:* What is the number of Indian members in the Madras Chamber of Commerce?—Three or four.

53. Were there no more applications or were they refused?—No one has ever been refused.

54. Are there also Indian members in the Trades Associations?—Yes.

55. Also a small number?—As many as wished to come in have come in. It is a very, very small number. As many as have ever applied have come in.

56. Is there any conflict of interests between Indian trade and commerce and European trade and commerce?—(*Mr. Kaye*): Not necessarily.

57. Do you think that the interests of trade and commerce, either Indian or European, would be jeopardised, if the two were treated as one?—Do you mean if there was one electorate?

58. If there was one constituency representing trade and commerce?—(*Mr. Birley*): To-day, no. In future, it is very difficult to say.

59. You apprehend it in the future?—It seems to me a possibility.

60. Do you think it is a mere possibility or you apprehend it?—I have no reason to apprehend it.

(*Mr. James*): There is one difficulty and that is that any agreement to pool the electoral roll for these bodies would have to be accompanied by some agreement as to the rules governing the admission to these bodies. The whole question was discussed in Madras when we were making suggestions in regard to the amendment of the Madras Municipal Act and the fear of the Indian Chamber of Commerce was that their candidates might be influenced by the European votes and the fear of the European Chamber of Commerce was that the more, shall I say, genial rules or easy rules of the

1st March, 1932.] Messrs. F. E. James, W. O. Wright, F. [illegible] Birley & K. Kaye. [*Continued.*

Indian Chamber might result in the European votes being entirely swamped. These are the practical difficulties.

61. Don't you think that these difficulties are capable of adjustment?—I do.

62. Are the bulk of non-official Europeans, who are enfranchised, members of the trading, commercial and planting communities?—Yes.

63. If that be so, what is the justification that you urge in favour of a separate constituency for the European community and European trade and commerce?—The justification which I have already mentioned in answer to the Chairman.

64. Would you mind saying that again?—There are various points of view. One is the view that if separate electorates—I did not mention this before—are to be given to different communities, the British community in India as such feels that it has a point of view which should be represented in the legislature. The representatives of special interests naturally represent the point of view of those interests. The commerce representatives are dealing specifically with commercial and industrial matters and very often do not express any opinion on general political questions and the almost certain absence of the British point of view from the official bench in the legislatures of the future makes the British community here feel that it is very essential that they should have a member representing the British point of view in a non-official way. That is one reason. Another reason, which I have already given, is that the representatives of these commercial bodies are likely to be the senior men. Therefore, the point of view of the younger men among Britishers gets little representation and there has recently, as among all communities, been an awakening of political interest on the part of the younger section of the British community and they are anxious that they should have an opportunity of being represented from the general electorate as they find it difficult to get in the special constituency.

65. Is there any inherent difficulty of younger men being sent in through the commercial constituency?—There will be some difficulty because it is the controlling people in firms, the senior partners and so forth, who know their interests and naturally the senior men in the firms are those who are nominated to represent those interests.

66. Whatever may be the point of view, do you think, on a perusal of the proceedings of the legislative council, that in practice there has been any substantial difference between the representatives of the European community and the British Chamber of Commerce?—I can give my personal experience of two legislatures. I might say that there have been times when the representatives of the Chamber of Commerce have not been able to put forward the views of the European community as such, inasmuch as they are there not so much as representatives of political views as representatives of special interests.

67. In your memorandum regarding the representation of the depressed classes, you say " at the end of the stated period of 10 years the community should be given the choice between a continuance of the system of separate electorates and the reservation of a certain number of seats to which representatives would be elected by the general electorate ". Is it your experience that any community or interest which has once been given separate electorates would, of its own accord, say that it would give them up after 10 years?—It has been the experience of the past ten years that none is willing.

68. Is it conceivable, is it likely, is it human nature for a body voluntarily to come forward and say that they will forego these privileges?—That depends entirely on the political future.

69. You can't say anything on the basis of the past?—I might say that my experience of the past 10 years is that so far no community has been willing to give up separate electorates.

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70. Then when you advocate separate electorates in preference to reservation of seats in a joint electorate you don't go on the basis of experience?—As far as we are concerned, we have gone on the basis of what we have understood the representatives of the depressed classes wanted.

71. Therefore you have advocated a separate electorate?—Yes.

72. After having disapproved of the group system you have said in your memorandum " if the group system were adopted it is considered most important that only group electors should be qualified to stand as candidates for such constituencies ". Why is that so?—Because it is felt that the group should only elect from among its own members, for otherwise you don't get true representatives of the group.

73. A group of 25 voters will elect a representative. That representative will necessarily be one of the group itself. But when elections for the council are held, the representatives selected by the groups will form part of the general electorate and whoever may be a candidate may be elected. You say only group electors should be qualified to stand as candidates?—I think there is a misapprehension. What is meant here is that the group should not be allowed to elect to the secondary roll anybody from outside the group.

74. You have objected to the representation of labour through trade unions. Before raising this objection have you considered the recommendations of the Whitley Commission in that behalf?—(*Mr. Kaye*): We have.

75. What is your principal objection to representation through trade unions?—It is not so much the objection to the trade unions as a wish to ensure that labour should be represented by labour.

76. Are not trade unions bodies of labourers?—They are not always controlled by labourers.

77. That is your objection?—Yes.

78. On what ground do you prefer indirect election to the lower house of the Federal Legislature?—(*Mr. James*): I think the general feeling was that the representatives from a province in the lower house should represent the political state of that province at that time and this could best and most conveniently be secured by indirect election. But we are not particularly strong on that point. If you will read our memorandum you will see that we are prepared to leave that matter to the local Franchise Committee.

79. Assuming that it is decided that, as at present, the election to the lower house of the Federal Legislature shall be direct, would you not lower the franchise qualification?—We thought that the existing qualification would suffice for the time being.

80. Would you not lower it somewhat?—I don't think we have any particularly strong views on this. We should not want to lower it too much.

81. *Mr. Miller:* Do you agree that adult suffrage should be the ultimate goal?—Yes.

82. Do you consider that if any further extension is given it would still leave unenfranchised a large number of villagers and that they should receive education through elections to the Municipal Boards and the Local Boards?—Yes, that is one method.

83. You would not favour any extension of the municipal franchise. It should be by gradual steps until adult suffrage is reached?—I think, after a time we might. We have just extended the local boards and municipal franchise very considerably. I should not be in favour of extending it again immediately. But, I think it would be quite possible to make a further extension of that franchise before you make an extension of the franchise for the legislature.

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84. It has been said that it is unpractical to do it. Can you suggest any method whereby the municipal electoral roll might be extended by the direct method or by grouping?—I think extension by the direct method is quite practicable.

85. Up to adult suffrage?—Ultimately, yes. Our point of view was this. We are prepared to recommend a considerable extension now, but we should like to see arrangements made that in future a further extension ultimately up to adult suffrage was guaranteed. Our feeling at the moment is that if a considerable extension was accepted now, those in power in 10 years' time may probably not be willing to go further. We, therefore, want to make provision against that time now.

86. What are your proposals for European representation in the Council?—Our proposal is that there should be 8 Europeans in a Council of about 210 to 220. That would preserve the same proportion which we enjoy at present. I think I said three would be elected by a general constituency and two by the planters.

87. You consider that the European representation should be other than through Chambers?—Certainly.

88. The reason is that the Chamber does not go into politics, except in so far as it affects their interest and other bodies go into the political side of the matter. Therefore you think that those who have studied political matters should represent the community?—Yes, that is true.

89. And you think that if the younger men have representation they possibly might take a wider interest in general Indian affairs than the older men who will probably stay for a short time only in the country?—I think it is very likely.

90. They really would not be any good to the European community. It is the younger men who should have representation, for they have a long time to spend in the country?—Certainly.

91. What is your opinion of the trade unions that exist in Madras at present. Are they satisfactory?—(*Mr. Kaye*): I don't think they can be called satisfactory.

92. That would be one reason why you don't want representation through trade unions?—(*Mr. James*): There is one point which we had in mind in making the recommendation. Some of the unions are ephemeral in character and unstable and poor in membership. The number of registered trade unions at the moment is only 22 with a total membership of 38,407 of whom 26,254 belong to one railway union which includes not only the manual workers but also the clerical workers, and we have a number of unions like the Textile Labour Union, the Tile Workers' Union whose membership is very small—30, 40, 50 and so on.

Another difficulty in connection with representation through trade unions is that the unions here have not so far developed upon vocational lines. The unions here have developed very much round a firm or a large employer of labour. For example Parrys' have a factory and you have the Parrys' workers union in that very place. You will find that there are 136,000 adults working in factories registered under the Factories Act. Our view is not that we should in any way be against the trade union movement, but when we are seeking for some basis of franchise for industrial workers, we say that the trade unions in Madras at present are not a suitable basis. That is really the point.

93. *Mr. Tambe:* Are all the trading firms represented in the Chamber of Commerce or are any left out?—Most of them are represented there. A few are not members of the Chamber. The greater majority are.

94. Are the members of the Chamber also members of the Trades Association?—No.

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95. Are the members of the Trades Association members of the Planters' Association?—No.

96. How many Europeans are left out who are not members of any of the associations?—It is difficult to say, because these associations are composed of representatives.

* * * * *

97. Can you give us that information later on?—Certainly.

98. With regard to the depressed classes you propose separate electorates for 10 years and you state that at the end of 10 years, 'the community should be given the choice between a continuance of the system of separate electorates and the reservation of a certain number of seats to which representatives would be elected by the general electorate'. Would you recommend that in the case of the European Association—that the European community should have the choice between a reservation of seats and the continuance of separate electorates?—I think it would be quite fair to make that same suggestion.

99. *Khan Bahadur Aziz-ul-Huque:* Mr. James, I find that, unlike other provinces, you have placed your case very moderately. You want 8 seats out of 200 or 230. What is puzzling me is this—is it possible to find out some system by which the interests of the Europeans, planters, commercial interests and so on could be amalgamated and all the seats given over to that one organization? The reason is this. Of late, there has been a complaint that certain specified associations in trade or commerce have got a voice in the legislature, but others who might have come in later have not. I find in the Madras report that the Madras Piece-goods Association wants representation and some other associations want representation. In view of this, is it not possible to restrict the electorate to some one European organization and grant them the total number of seats which you want and do away with different interests?—It is quite possible to do that. If all the other interests are prepared to get their representation that way, you can expect the European community to do the same.

100. You have said that the Chamber of Commerce do not take any interest in political matters. They take interest only in commercial subjects. Other special interests do take an interest in political matters. In other words, your position becomes more or less that of experts. In view of that, don't you think that your seats could be amalgamated with others?—(*Mr. Birley*): That is not quite right. When we said that the Chamber of Commerce did not take an interest in political matters it did not mean that it took no interest. The Chamber of Commerce take an interest in politics, whenever the subject under discussion relates to commercial matters. We do take an interest in politics to that extent. The greater part of the politics of the future will probably settle round commercial interests and then the Chamber of Commerce's interest will increase.

101. Will there be any danger to commerce if the total number of seats of Europeans is increased to 8 and others are done away with?—I don't quite follow.

102. Do you think there will be any danger to European Commerce if the total number of seats for the different interests are amalgamated and the Europeans are granted 8 seats?—No, I don't think so.

103. Do you now vote by post or are you required to go to the polling booths?—We vote by post.

104. What is this Domiciled European Association? Is it really an association of Europeans or what are ordinarily known as Anglo-Indians?—I

am afraid I do not know. You will have to ask the representatives of that Association.

105. Does it include any member who as an European has got a vote in the European constituency?—No.

106. In answer to Mr. Chintamani you said that in the last 10 years you have not seen separate electorate not being wanted by anybody who had got it. So, once separate electorates are granted, the only possibility of taking them away is for that body to show a little moderation?—A great deal of moderation.

107. *Major Milner:* Mr. James, I see you say in your answer to 1 (*b*) " such an electorate would be capable of casting an intelligent vote as it would receive rapid education through the elections to local bodies ". Is it your view that it is necessary to give experience in order to enable the people to cast an intelligent vote?—My experience both in England and India is that that is so.

108. What is required is that people should have experience in voting and so forth?—Yes. They should take an interest.

109. Therefore if we have adult suffrage straightaway, everybody would get that experience?—No. They would not get it. From my point of view, it is a very great jump.

110. Is there any difference in the capacity to absorb of persons whom you suggest should be given the vote and those who may not receive it?—It is a very difficult question to answer.

111. There is no substantial difference, I suggest to you?—This will enfranchise some communities and will not enfranchise some others.

112. You mean the backward communities?—Yes, and depressed classes.

113. You are suggesting provision for these?—Yes.

114. I suggest to you that there is no difference in their intelligence in this matter and that they all require experience and education?—Yes.

115. So there is no justification for this artificial distinction between those who pay taxes and those who do not?—The only justification is that of practicability. I believe firmly that universal education alone will be the remedy.

116. By practicability you mean the difficulty of getting all these people to the poll?—The difficulty of including them in the political machine.

117. As regards the group system—it is one way of securing for them the necessary education—don't you think it would give them an idea of the elementary form of election and gradually lead them on to adult suffrage?—In the Madras presidency you have roughly 20 million adults. If they are made into groups of 20, you will get one million voters and they will get some sort of education. The other 19 millions will not get that same education.

118. Do I understand you to suggest that there is a distinction between this million voters who will have the direct vote and the 19 millions who will have no direct vote?—Of course. They vote directly against the candidate themselves and against the issues.

119. There is nothing to prevent the candidates coming down to the villages and speaking to the groups?—It is not likely that they will do so.

120. They have to do so in order to influence the secondary electors?—That is what I want.

121. They will have no difficulty in coming down to the villages and addressing the primary voters?—They will only address the secondary electors. If you extend the system gradually they will influence every voter.

122. How do you propose to bridge the gulf between those who are directly qualified by payment of taxes and the great mass of those who do not pay taxes?—Well, I admit it is a difficulty. Our proposal is that

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if you allow the extended franchise, which has now been given to the local bodies, to operate for 10 years, there is bound to be a considerable automatic increase in the electorate every few years; because, under the Local Boards and Municipalities Act, the local bodies right down to panchayats, have been given power to tax, which power they are already beginning to use.

123. Well, there is still a large mass which does not pay taxes such as members of joint families, women and all the rest of them. How do you propose to bridge that gulf?—That system is designed to bring in every one.

124. By taxing additional sections of the community and bringing them into the electoral roll, you can get away from all those difficulties?—That sounds well in theory. I have yet to hear of anyone giving any practical method.

125. Do you think we can safely combine the direct voters and the indirect voters and make all indirect voters?—I think there will be a very strong objection to that on the part of those who have for some time enjoyed the vote.

126. They will be members of the groups rather than direct voters?—I do not think they will like that. Speaking from my own experience I think that those who have now the vote in the various local bodies will be the first to object if you suggest taking away their vote from them.

127. You are proposing to enfranchise 5 to 6 million people and leave out the rest of the 24 million adults in the province. If we combine them and give them an indirect vote, you have the choice between causing some slight feeling of resentment, if it exists, to 5 million people and giving pleasure and contentment to 19 millions?—I do not mean that the giving of the vote gives pleasure and contentment to anybody.

128. By perpetuating this distinction you will have the 'haves' on one side and the 'have-nots' on the other side?—I do not know what you mean by the 'haves' and the 'have-nots'.

129. 'Haves' are presumably those who pay the taxes and the 'have-nots' are those who have no property on which they can be taxed?—Under the present system of taxation in the country, those who have to pay the taxes are generally the 'have-nots'. (Laughter.)

130. With regard to panchayats you are aware that the panchayats have not been extended to the whole province. You are aware that there are 3,000 of them in the presidency?—Yes.

131. There are about 5 to 6,000 villages?—Yes.

132. So that almost all the villages have the franchise at the moment?—Yes, and adult suffrage.

133. Both very good reasons for having adult suffrage on the one hand and the group system on the other?—I think both are reasons for extending the panchayats.

134. *Major Milner:* You object to trade unions being made the basis for the representation of labour on the ground that they are not suitable. You are claiming, however, representation for Chamber of Commerce and all the rest of it?—Yes.

135. Your Chamber comprises only a portion of those engaged in trade and commerce in this presidency?—Yes.

136. Why, in fairness, do you not say quite frankly that in your view similarly organised, properly constituted and registered trade unions should form the unit in regard to the representation of labour?—If the trade unions were as well organised as the Chamber of Commerce, I do not say that we

would have any objection; but the basis of registration at the present moment is very unsatisfactory. Some of the unions, of which we have a list here, are not working at the present moment.

137. May I take it therefore that if the trade unions are properly constituted, and duly registered in accordance with appropriate legislation existing in the country and pass the tribunal suggested by the Labour Commission, you would agree that they should be the basis for representation of labour?—(*Mr. Birley*): May I suggest that we have no objection to trade unions being made the basis for the representation of labour? All that we say is that we cannot at present recommend it.

138. If they are properly constituted you have no objection?—We have no objection.

139. In your memorandum you have proposed restricting the franchise to those receiving wages of not less than Rs. 15 a month. Would it not disfranchise practically the whole of the tannery workers?—(*Mr. James*): We did not tie ourselves down to the 15 rupee limit.

140. If you at least agree to give representation to the 38,000 members of the trade unions they would represent other factory workers as well and they would be as good representatives of general industrial labour as the Chamber of Commerce with its sixty members and so many outside?—No.

141. If your Chamber of Commerce, with its limited membership, can represent the whole trade and commerce of this presidency, the industrial workers, whether they are 10,000 or 5,000 in the union, can represent equally the working classes of this presidency?—No. The difference is this. The Chamber of Commerce represents the whole of the commercial interest in South India, but, as far as we are concerned, it cannot be said that the representatives of this particular union represent anything like the whole of the labour interest in South India. Each member of the Chamber of Commerce represents on the average 20 Europeans. All the European employers in this presidency are represented by the individual who is chosen by our representatives in the Chamber of Commerce.

142. *Diwan Bahadur Ramaswami Mudaliyar:* While you are in favour of the ultimate ideal of adult suffrage you are not prepared to support it now because you think it is too much of a leap in the dark?—Yes.

143. Your recommendation to enfranchise the local board and municipal voters is a great advance on the present system?—Yes.

144. In making that recommendation you do not want to make any sharp distinction between the 'haves' and the 'have-nots'; nor have you any particular objection to any particular section of the community being enfranchised?—No. Not in the least.

145. You do not think that it would be an accurate description to suggest that these 5 million voters are the propertied classes?—No.

146. That would be an entirely erroneous assumption?—Yes.

147. With regard to the depressed classes, your recommendation to have separate electorates is confined to the conditions in this province and you have made that recommendation with particular reference to this Presidency and not with reference to all-India conditions?—No.

148. In making that recommendation you were not a little influenced by the fact that considerable sections of the Hindus in this presidency are not averse to separate electorates for the depressed classes?—Certainly.

149. If the Hindu community as such feels that it is a great inroad on their solidarity and that it would break up the Hindu society, then perhaps your views might not have been quite so clear on this subject?—It depends very largely on the attitude which the depressed classes themselves take.

150. I suggest to you that both these attitudes have helped you in arriving at that conclusion?—Yes.

151. So far as the Trades Association is concerned, they were given certain representation on the Corporation of Madras?—Yes.

152. Sometime back they used to send an Indian also as one of their three representatives?—Yes.

153. Is there any method by which you could restrict the admission of Indian members to the Association now?—No.

154. Am I to understand that you would not mind any large number of Indians getting into the Trades Association?—Provided they agree to abide by our by-laws, etc., and pay the subscription.

155. Is your subscription fairly high?—I do not know what it is.

156. *Mr. Bakhale:* May I know the number of plantation labourers in this Presidency?—The last census reveals the number as 110,000.

157. Most of them are depressed class people?—Yes.

158. As a provision for separate depressed class constituencies is being suggested by you, do you think they will give representation to plantation labour?—If some of these constituencies are properly constituted, plantation labour will obtain representation.

159. Are you quite sure that in the depressed class constituency, plantation labourers would be included as voters?—A certain number of them would be.

160. Have you any idea of that number?—No. I do not think the figures have been ascertained.

161. If a substantial number of plantation labourers are not included in the depressed class constituency, don't you think that it is desirable that plantation labour should get some representation?—Yes, certainly.

162. Have you got any plan under which this can be done?—Quite frankly, I say it is very difficult to know what to suggest. I know it is the wish of planters in South India that plantation labour should be represented in the local Council. But how to get representatives is a question that baffles us.

163. May I inform you that the Indian Tea Association, Assam Branch, have recommended a system of election for plantation labour through the group system. Are you prepared to consider that system?—Certainly we are prepared to consider it. But it must not be forgotton that the conditions of plantation labour in Assam and in South India are entirely different.

164. You are prepared to consider the proposal?—Certainly.

165. Then, as regards representation of labour on the local Council, can you give me some idea as to the number of seats that your Chamber is willing to give to labour?—I think the chamber made no particular suggestion. They left it to the local Franchise Committee to work out in detail.

166. Are you in agreement with the local Franchise Committee as regards the number of seats they propose to give to labour?—Yes.

167. That is three?—Yes.

168. For the commercial community you have asked for not less than eight seats?—Three for Chamber of Commerce, three for Indian trade and commerce and two for planting. (*Mr. James*): It is our expectation that if we reduce the franchise, as we heard was the case in Colombo, labour can come in through the general constituency.

169. Through the general constituency, you will also get representation for Indian commerce and trade and also for European trade and commerce?—Possibly so, for Indian commerce and trade.

170. So, that is common to both?—Yes.

171. Don't you think therefore that, as a fair proposition, labour should get as many seats as capital gets?—It is very difficult to say. There are some depressed class people who are there representing labour. There are also some representatives from the general constituencies, who, though not directly elected by labour, represent and stand for labour interests. I may say that we are not against a reasonable number of labour representatives coming from special constituencies.

172. Over and above the representation of the community as a whole, you have demanded special representation for European trade and commerce and also for Indian trade and commerce and banking. When you have demanded special representation for capital, it is only fair that labour also should be given, in the same proportion, special representation?—I think it is reasonable.

173. Do you accept the view of the Madras Franchise Committee that only such labour as is employed in the factories covered by the Factory Act, should be enfranchised?—The point of view of the Madras Franchise Committee was this. These special seats for labour are designed to represent the point of view of industrial labour. You cannot hope to devise any method of special electorates which would give representation to every labourer in receipt of a certain wage. I do not think it is a practicable proposition. Therefore our endeavour was to find some basis which would give as large a representation to industrial labour as possible.

174. Don't you think that the workers in tanneries and other factories which are not at present covered by the Indian Factories Act are industrial labour? —Yes.

175. They would not be covered under the scheme of the Madras Franchise Committee?—It is always possible for any factory labourer getting more than Rs. 10 to come under the Factories Act.

176. He does not come under the Factories Act?—They will arrange to bring him under the Factories Act.

177. So, you would modify the proposal made by the Madras Franchise Committee?—Yes, to that extent.

178. Then, as regards another objection raised by the Madras Franchise Committee with which I take it you are in agreement, namely that if trade unions are given representation, there is the risk of the railway union swamping all the seats at the cost of the other unions; suppose the number of seats is fixed according to industries, one or two for railways, one or two for textiles, one or two for port labourers and other workers, don't you think that that would be a fair way of avoiding that risk?—The difficulty is that according to your proposal you will be disfranchising more labourers than according to our proposal under the Factories Act. We do not want to do that. Another difficulty is that it may possibly be a workable scheme provided there are stable and well-organised unions. I very much doubt whether it would be a workable scheme while trade-unionism is in its present form in South India.

179. Don't you think, Mr. James, that assuming for the moment that trade unions are not functioning as well as they should, if you invest these unions with the responsibility of selecting representatives to the local Council, they will become more responsible and function better?—I do not think that it follows.

180. Do you think that they will get worse if they are given this responsibility?—I think it is quite likely if they get into the hands of political manipulators.

181. How?—I think they will then exist for the sole propose of putting some political worker into the Legislative Council.

182. But you have got the Indian Trade Union Act to protect you from those dangers to a very large extent?—I do not think the Act will protect us.

183. I said, to a large extent?—I do not think so.

184. Is it not a fact that this Act was passed with the consent of the capitalistic elements in the Legislative Assembly?—Yes.

185. *Mr. Basudev:* Are you aware of the fact that the Madras and Southern Mahratta Railway union is one of the best organised unions in India?—I am afraid I do not know anything about that.

186. Do you know anything about the organisation of trade unions?—Not about the one you spoke of.

187. The figures in our hands show that the railway union consists of 26,000 and odd people. Of these, how many do you think are from the clerical staff?—I do not know.

188. If I say it is 4,000, will you agree with me?—I will take it from you.

189. According to your proposition regarding the enfranchisement of wage-earners working in factories you will not enfranchise gangmen and so on?—Would they not come under the ordinary franchise? All workshop labourers would come under the factory labour.

190. But gangmen who number 10,000 out of the 26,000 will not come under the class of people who work in workshops?—The total number in the railway workshops is 6,560.

191. There are other industries in which large number of persons are employed who do not come under the Factory Act. Those industries are road-making, etc., which employ in each district about 2,000 workers. Your proposition does not take account of these workers at all?—I can explain that. I cannot conceive of a system which will bring in representatives of industrial labour who could possibly represent the entire labour in the Presidency. Our proposal is that we should concentrate on industrial labour from this point of view.

192. Road-making is an industry and motor transport is another industry?—Not in that sense.

193. *Diwan Bahadur Ramaswami Mudaliyar:* Will they not all be voters under the extended franchise?—Yes.

194. *Mr. Basudev:* With regard to outsiders coming in as labour representatives, I am trying to draw attention to the opening remarks of the Chairman on Saturday. He said that it was highly necessary to have men of administrative experience and ability to sit in the Legislative Council, and participate intelligently in the discussions. We heard yesterday from a witness the condition of the tannery workers. Do you still object to outsiders representing that class of labour?—I think it is quite possible to find men of administrative ability among the labourers themselves. My friend Mr. Kaye has experience of them.

195. Mr. Sivashanmugam Pillai was telling us yesterday that tanneries alone employed 150,000 workmen and that among them he could not find one man to represent them in the Council. You still think that outsiders should not come in to represent labour?—I still maintain my point that it is possible that labour should be represented by labour and that it is possible to find among labourers men who have been through the mill and have acquired considerable ability for leadership. I want such men to come in.

196. With regard to the depressed classes, your recommendation is entirely based upon what you know to be a strong feeling among the depressed classes? They want a separate electorate?—They are having no separate electorate at present.

197. You recommend that they should have a separate electorate?—Yes.

198. Your recommendation is based entirely upon what you know to be their strong feeling?—It is based largely, but not entirely, upon their feeling. It is also based on the appalling economic condition of the depressed classes themselves.

199. But the local Committee has not made any difference as regards the qualification for a vote whether the voter is a depressed class man or a caste Hindu. How then will the appalling economic condition of the depressed classes come into operation?—I do not quite follow the question.

200. How does your recommendation to give them separate electorates affect or improve their economic condition?—Because they get represented by their own people.

201. *Mr. Ramaswami Ayyar:* With regard to the representation of industrial labour, in your memorandum you say: 'It is suggested that representation be provided for Madras and Up-country labour on a basis of a franchise for *bonâ fide* labourers receiving a wage of not less than Rs. 15 a month'. You propose, I take it, this system whether it is agricultural labour or industrial labour. Do you think that a larger number of people could be enfranchised that way?—Obviously.

202. If that also is a basis of franchise in addition to the franchise suggested as regards tax-paying capacity, do you not think that there will be a big electorate and so we could go as far as possible towards adult suffrage?—I think it will be impossible to frame an electoral roll the basis of which is wage-earning capacity. From the administrative point of view I cannot see how it can possibly be worked.

203. If it is possible with regard to industrial labour, of course it requires a little more trouble for other labour. But do you think it is utterly impossible to get the other labourers on to the electoral roll?—On that basis, yes.

204. If in the case of the depressed classes an educational qualification is to be the basis of the franchise, don't you think that is more difficult for them than a wage-earning qualification?—I am not aware that an educational qualification would form the basis of the franchise for the depressed classes.

205. It forms the basis as regards their being included in the general electoral roll. The local Committee has suggested that besides their having a separate electorate, they must also have the franchise in the general electorate. If the educational qualification is to be the test, many depressed class people cannot have the opportunity to get into the electoral roll, is it not so?—But it is not to be the test. The recommendation of the local Franchise Committee was that the literary qualification should be an alternative test to the other.

206. Was it not an additional test?—No. It was an alternative test.

207. But if wage-earning capacity is to be an alternative test instead of an additional qualification, will not more depressed class people come in?—I do not think wage-earning capacity is a possible basis for the franchise.

208. *Diwan Bahadur Venkatnarayana Nayudu:* At present how many nominated European officials sit in the Council?—I think there are six; there are 4 or 5 Secretaries. I do not remember exactly.

209. In the coming constitution, if nominations are done away with entirely, your apprehension is that you would lose your strength to that extent?—No, not altogether. The whole basis of my claim for 8 seats in the new Legislature out of 200 is that at present we have five seats in a legislature of 132. And in common with every other community represented therein we have claimed the same proportion.

210. Are there any Indian voters in the planting constituency?—I cannot tell you offhand.

211. In regard to the perpetuation of separate electorates, is it not a fact that when the reforms were first started, the large non-Brahman Hindu community were apprehensive of not coming in large numbers into the Council and they claimed reservation of seats with the result that the four elections have shown that they were able to get not only the seats reserved for them but also a large proportion of the non-reserved seats? And is

it not also a fact that having regard to the results of the four elections the community as a whole represented by the South Indian Liberal Federation have in their memorandum to the Government stated that hereafter they do not want reservation?—I am quite aware of that. I am also aware of the fact that the non-Brahman community is vastly in the majority in this province.

212. And therefore there is no fear that if separate electorates are given for any communities for a period of ten years or so, they would adhere to the right and demand that right for a number of years?—I do not think so.

213. *Rao Bahadur Gopalaswami Ayyangar:* You said that one reason for separate electorates for the depressed classes was the appalling economic condition of those classes. I take it that what you want is that those classes should have sufficient representation in the Legislature so that their representatives might do something for relieving this appalling economic condition. The important point is that they should have a sufficient number of representatives in the Legislature, is it not?—The representatives should be men of their choice.

214. I am coming to that. Do you think the question is as to how the representatives are to be chosen? Supposing you get the same number of representatives through reservation in general electorates, would you object to it?—If the depressed classes are satisfied that by that method they would obtain the men they want in the Legislative Council, I think my objection against reservation would be withdrawn.

215. Supposing we devise a system under which we ensure that the depressed class candidates should not only be members but also must secure a minimum quota of depressed class votes so as to represent a substantial volume of the whole community, would you give up your objection to reservation?—I will consider that. But at the moment I do not think it will work quite satisfactorily.

216. I ask you to assume that. If such a system should be devised your objection would be withdrawn?—I have no doubt that it can be devised but I am not quite sure whether it will work satisfactorily.

The Chairman: May I point out, as I did yesterday, that the Franchise Committee is not going to pass any opinion on the relevant merits of separate or joint electorates, either for the depressed classes or for any other classes. It is not in our terms of reference. We have got to find out what the numbers of the depressed classes are, how many would get on the roll, and whether there is any possibility of their getting representation. These are the facts upon which we have got to report. And it is perfectly clear we are not going to report on the question of separate or joint electorates. That will be decided by His Majesty's Government. The decision will not be with us. I have allowed a great deal of latitude because on a question of this kind it is better to have too much rather than too little. I just want to make that clear to the Committee, in order to discourage people going into that question.

217. *Mr. Daniel Thomas:* You mention in your memorandum that Europeans, Anglo-Indians and the Muhammadan community require special weightage. Would you concede that Indian Christians also require the same?—I do not know what their position is. They might require weightage.

218. Would you agree that the number 11 allotted in the Madras Presidency for them is a reasonable number?—It was reasonable at the time of making the recommendation.

219. If there be a change?—If the total number of members of the Legislative Council is to be changed, the question of weightage will be considered, I think.

220. The proportion should be raised?—Some such thing.

221. *The Chairman:* When we were at Calcutta, the representatives of the European Chamber of Commerce there suggested that the rules for the election of the representatives of the Chamber of Commerce should be assimilated to the rules which exist here and in Bombay. Could you let us have a copy of the rules here?—Yes.

Memorandum submitted by the ALL-INDIA ARUNDHATEEYA CENTRAL SABHA.

I have the honour to submit the following reply to the Questionnaire of the Franchise Committee of the Round Table Conference on the question of general franchise. I am instructed to state at the outset that in addition to the importance and interest which the Sabha is bound to feel on the fundamental questions raised in the questionnaire equally with all the other classes of population, the community of which the Sabha is a representative body is by reason of its peculiarly adverse position in the social and economic scale, more particularly interested in the securing of adequate if transitory, means and methods of representation best calculated to raise the status of the community to a position of equality with the status of the other sections of the races and peoples of India.

A gist of its views and opinions on some of the questions.

The Sabha is in entire agreement with the view held by the Franchise Sub-Committee of the Round Table Conference that adult suffrage is to be the ultimate goal, but the Sabha is of opinion that for reasons of practicability, the immediate enfranchisement of even 25 per cent. of the total population would in the present undeveloped political instincts of the people be unwieldy and fraught with consequences tending to set back the hands of the clock of progress. Rather than prescribing an arbitrary number and seeking the means and methods of enfranchisement approximating to it, which would seem to be beginning at the wrong end the Sabha is of opinion that the means and methods themselves may first be explored, the total number being left to what it would amount to in consonance with practicability and utility. The present proportion of the actual number enjoying the suffrage may in the opinion of the Sabha be safely doubled immediately and provision made for enhancing it gradually by elective arrangements for being worked out at every succeeding election.

Apart from the question of the numerical proportion of suffrage to total population the method of representation is in principle of equal importance if not more, and in the opinion of the Sabha this should be different to different sections and classes of people enjoying different social economic and cultural status. While on the one hand an equal proportion of suffrage is granted to the different sections and classes of people according to their proportional numerical strength such maximum suffrage arrived at should be secured by different means so as to make the representation real and effective. Provision must be made in the method of election to guard against ignorant men securing votes undeservedly through influences (other than merit) rendered possible by the absolute lack of political sense on the part of voters. And this provision would naturally be more or less different in different strata of society. The Sabha therefore does not see its way

Memorandum by the ALL-INDIA ARUNDHATEEYA CENTRAL SABHA. [*Continued.*

to subscribing blindly to the theory that the voting ratio should be made to correspond strictly with the population ratio unless adequate means are found to adjust the voting so as to secure the return of the best and most qualified representatives of the community. It is true that in almost all countries where adult suffrage is in force its introduction did not wait for previous political education and that political education itself is not altogether dependent on literacy, but can be acquired by practical experience. But, as a matter of fact until political sense was actually developed to a necessary degree the results of adult suffrage could have and indeed have been fraught with evil consequences. In such circumstances in a country like India it is to be feared that such evil consequences may even tend to set the clock back by a great deal. We now proceed to answer *seriatum* the questions raised by the Franchise Committee.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF FRANCHISE.

(*a*) The existing franchise for the provincial legislature can be extended so as to include 10 per cent. of the population in the electoral roll in the case of the general mass of population excluding special minorities and backward classes by slightly relaxing the Franchise qualifications.

(*b*) It cannot be averred with any degree of positive assurance that such an electorate will be capable of casting an intelligent vote. But the extension of the franchise to 10 per cent. is not so great an advance on the existing franchise as to make an appreciable difference for the worse and what little difference there might be is bound to disappear soon as the natural fruit of practical experience.

(*c*) The task of preparing, maintaining and revising the electoral rolls and of recording and counting of votes is always a difficult problem in practical working but it must somehow be faced sooner or later and till it is perfected we must be prepared to put up with some defects and mishaps which are incidental to lack of experience and which experience alone can rectify. But the example of other countries which enjoy an extensive franchise may with profit be availed of.

(*e*) The electoral roll may safely be enlarged up to double the present proportion without any special means having to be adopted but still further extensions must be gradual and based on added experience, the actual extent of each enlargement being judged from time to time from the points of view of practicability and utility. But provision must be made in the present constitution for such enlargements being made on the determination of the respective provincial legislatures themselves.

(*f*) Yes. The system of group formation for primary voting would be feasible in the case of adults not qualified according to the rules to vote directly in the provincial elections. But there are two points for consideration. The number composing each group may have to be varied according to the cultural condition or the literacy of the various classes. The higher the qualification the smaller will be the number of qualified voters unless indeed different qualifications are prescribed simultaneously for the different classes and in the cases of advanced classes the unqualified adults may have group-voting in numbers proportionate to the number of vacancies left by the list of direct voters. But in the case of less advanced classes in order to obviate practical difficulties each group may be composed initially of a much larger number with the right of returning plurality of voters again according to the vacancy left by the direct voters' list.

Memorandum by the ALL-INDIA ARUNDHATEEYA CENTRAL SABHA. [*Continued.*

The voters to be returned by the groups should be members of the groups themselves. It would be feasible that the voters returned by the groups should vote in the same constituencies as the direct voters except in the case of backward communities and small minorities.

(*h*) No.

(*i*) For answer *vide* answer to (*f*) *supra* as regards the size of the out-groups. The basis of the formation of out-groups should be that of defined areas. The duty should be entrusted to the District Municipalities or the local bodies who are the direct representatives of the people.

(*j*) For answer *vide* answer to (*f*).

2. FRANCHISE QUALIFICATIONS.

(*a*) There is a disparity and it can only be remedied by adjustments in the variation of the qualifications necessary for franchise so that representation according to the fixed proportion of franchise may be secured uniformly.

(*b*) Yes. It must be made practicable partly by lowering the qualifications and partly by a system of group elections.

(*c*) Property qualifications should be discountenanced to the utmost practicable limit and educational qualifications should be in proportion extended gradually till it ends in universal suffrage based on education alone. This must be the ultimate goal of true progress. Here again the practical politics of the standards of culture and social and economic conditions marking off different areas such as rural and urban as also different classes and communities, must be had in view and voting qualification adjusted so as to enable an uniform roll of the fixed numbers of voters.

(*d*) Yes. Particularly where the economic condition is low as in the working and the depressed classes.

3. WOMEN SUFFRAGE.

(*a*) We are in favour of increasing women's electorate in the way suggested by the statutory commission to the utmost possible extent.

(*b*) Yes. In the event of group system being introduced for women, they should be separate from those of men.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

In the case of the depressed classes we are diffident of securing the fullest proportionate representation by the mere extension of the franchise till some years of intensive education work and practical experience in political movements are attained. It might therefore be desirable to have recourse to *quasi* nominations by Government, the number of such nominations being kept down as far as possible where they are absolutely necessary and reduced gradually. In this connection we are most anxious to invite the attention of the Franchise Committee to the questions of giving joint or separate electorate to the depressed classes. We would much rather favour separate electorates, but on one condition, *viz.*, that the different minority communities which are included under the general denomination of the depressed classes but which have each its own problems—social, cultural and economic—to solve are allowed to vote separately in separate electorates of their own. If this should be deemed not feasible, we would prefer a joint electorate for the depressed classes with reservation of seats for each of these minority communities within the depressed classes in proportion to the population of each. In effect the different distinct (*not sub*) but major communities composing the depressed classes in an artificial grouping should have separate electorates under separate electorates for the depressed classes

preferably or a joint electorate under a system of joint electorates for the depressed classes.

5. REPRESENTATION OF LABOUR.

Representation of labour can best be secured and in the most practicable manner by the encouragement of and the rapid formation of Labour Unions for which the tendencies of the times very largely incline. The very fact of the need for their formation for the exercise of franchise would act as a very stirring stimulus. In the short interval that may elapse unorganised labour may find representation under the group system as private individuals.

II.—FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) Yes.

(*b*) The Franchise question should be different for the Provincial and Federal Legislatures. In the case of the latter both property and educational qualifications should be about equally adjusted so as to return an equal number of members.

(*c*) In the case of the Lower Chamber of the Federal Legislature it would certainly be desirable to adopt indirect election in certain defined cases such as rural areas backward and depressed classes and certain minorities.

Mr. H. M. JAGANNATHAM, M.L.C., representing the All-India Arundhateeya Central Sabha.

1. *The Chairman:* Will you tell me exactly whom you represent?—The All-India Arundhateeya Central Sabha.

2. What is the membership of your Association?—Over 500 in the city of Madras.

3. Have you got any branches throughout the Province?—There are a few.

4. Do you accept the official statement of the number of the depressed classes in the Madras Province as being correct?—Yes. The total is 6,372,074 according to the 1921 census.

5. I am told the equivalent figure for 1931 is 7·1 lakhs?—Yes, it has now increased. I accept that.

6. And you accept the statement with regard to the castes who belong to the depressed classes as the basis of that calculation?—Yes.

7. Could you tell us, briefly, what are the main disabilities under which the depressed classes suffer in this Province?—Except in the city of Madras we are not allowed to walk in the public streets. In the metropolis we are allowed to mingle freely and are allowed to dine with them occasionally in their houses.

8. When you say you are not allowed to walk in the public streets, what do you mean?—It is mere untouchability or in some cases unapproachability.

9. That is mostly on the Western side of the Province?—Even in the South.

10. Do the depressed classes live in separate cheris?—Yes.

11. Is that universal?—Yes.

12. In every village there are separate cheris?—Yes.

13. In which the depressed classes live apart?—Yes.

14. Do they have their own wells and temples in the cheris?—Yes.

15. They are not allowed to have access to wells and temples in the villages. Is that correct?—Yes.

16. You want the same system of representation as at present, namely nomination, in order that your community may get an active voice in the legislature?—Yes.

17. I think you say in your evidence that you would like a system of separate representation for the different sections of the Arundhateeyas? —Yes.

18. Do you mean a number of separate electorates?—Yes.

19. Have you any particular proposal to make about that?—It is for the Committee to decide. We are only concerned with the seats and representation in the public bodies.

20. I must make it clear to you that this Committee is not going to settle the method of representation, whether it should be by separate or joint electorates. We are to examine the question with a view to reporting the facts upon which the British Government will make their decision. We want information upon which they will base their judgment—The Indian Christian community, for instance, have separate electorates for themselves and they are only 30 lakhs in population. So, some such measure could be devised for electing the minorities.

21. *Sir John Kerr:* You say " that the different minority communities which are included under the general denomination of the depressed classes but which have each its own problems, social, cultural and economic, to solve ". What do you mean, actually, by that?—The Arundhateeya community is one carrying on the manufacture of leather goods as a profession and it cannot join with other communities and its disabilities in the profession are quite separate from those of the Adi-Dravida community. In attempting a solution of their difficulties the economic and educational problems of the Arundhateeya community should be treated as being separate from others.

22. How many separate electorates do you contemplate?—Nine communities are recognised by the Government of India as untouchables, out of which four go together; then there are two others (Madigas and Chakkiliyans) that go together as one community; and the Malas and Paraiyans go together also as one community; as for the other communities, so far as I am aware, I do not know whether they have any special grievances, but they share in general the grievances of the other communities.

23. *Diwan Bahadur Ramaswami Mudaliyar:* Talking of the depressed classes, there are two large classes among them—the Arundhateeya community and the Adi-Dravida community. They are again sub-divided into Paraiyans and Malas and Madigas nd Chakkiliyans. So far as these castes are concerned, they form 4 millions out of a population of 7 millions. As between your two communities, very strict untouchability prevails. That is your point to a certain extent?—I don't say untouchability, but we don't dine or take water together.

24. You cannot take water from the same common well?—No.

25. That is, if a well belongs to an Adi-Dravida, an Arundhateeyan cannot go and take water from there?—Yes.

26. You are afraid that you will be swamped in a common electorate with them unless somehow or other your community is safeguarded?—Yes.

27. The total number of your community is about 13 lakhs?—Yes.

28. In every district you are numerically smaller than other communities?—Yes.

29. In a common separate electorate your theory is that you will not get your own men selected?—Yes.

30. Do you suggest a system of separate electorates for your community?—The only thing we want is that our community should have adequate representation in the public bodies. The last 10 years' experience shows that no one of our community has been represented on the public bodies excepting one or two here and there.

31. Your complaint is that during the last 10 years you got only one seat in the Legislative Council out of ten?—Yes.

32. Whereas the others got several seats?—Yes.

33. And now if there is a common electorate you feel you will not get a voice?—Yes.

34. Therefore your suggestion is that you should have reservation of seats in the electorate for your community?—Yes.

35. As regards the public way, you said you could not walk on the public roads? Do you refer to conditions in Malabar or in general?—Generally in the villages.

36. They cannot walk on the public roads?—Not freely.

37. You mean if your man is walking on the public road and an orthodox caste man comes along, your caste man must move away?—Yes.

38. Otherwise the other man will move away?—Yes.

39. But still you have the right to go on the road?—No, we cannot.

40. So far as the public wells are concerned, the depressed classes cannot draw water from them?—No.

41. The Legislative Council passed an Act by which the passing on public roads and the drawing of water from wells has been declared by statute to be open to all. In actual practice it has not been enforced?—No.

42. When you do try and draw water under section 47 of the Act, an order is passed and you are prevented from exercising your right for fear of a breach of the peace?—Yes.

43. So far from helping, the authorities curtail your rights for fear of a public riot?—Yes. In the villages or towns the duty of carrying out the orders is given to caste men and these caste men deliberately avoid the orders and so put us in the same position in which we exist.

44. As a matter of fact, may I take it that in the Legislative Council itself, so far as legislation is concerned, attempts have been made to give you those rights?—Yes.

45. And caste members have been helping you to get those statutory rights?—Yes.

46. May I take it as universal that members of depressed classes cannot enter into public temples?—Yes.

47. There again some attempts have been made by reformers to break through this, but they have not been effectual?—Yes.

48. Attempts have been made to prosecute these people who have tried to enter the temples?—Yes.

49. Have you any idea of the representation you would require?—According to our population. That should be the basis.

50. A proposal has been made by the Provincial Franchise Committee that in addition to having separate electorates you should have joint electorates?—Certainly we should have that.

51. *Major Milner:* May we take it that your Association adheres very strongly to the views expressed in section 5 with regard to Labour?—Yes.

I congratulate you very sincerely on the views so very ably and sincerely expressed.

52. *Dr. Ambedkar:* In reply to Mr. Mudaliyar you said that the Adi-Dravidas formed one caste and one community?—Yes.

I see from the rules of the Local Government that it is not one single group but that it consists of a number of castes enumerated in the Local Boards Act?

Mr. Souter: That is not quite correct. We had to take a comprehensive term for the purposes of definition in the Act and as it included a number of depressed classes we chose the word " Adi-Dravida ".

The Chairman: We will not discuss this now. This can be discussed between the two Franchise Committees later on. We will examine the witness on his evidence.

53. *Dr. Ambedkar:* You think that the smaller communities of the depressed classes should have a separate electorate so that they could have a voice?—Yes.

54. You complain that you had only one seat in the various legislatures and that many more seats were given to other communities of the depressed classes. Did you find any hostility on the part of the other members of the depressed classes in the legislature to any particular proposal you brought forward in the legislature for the benefit of the communities you represent?—No.

55. Did you always find that you got support from them?—Yes, but support in the Legislative Council will not help in the mofussil. If there are members in the mofussil representing this community in the Legislature, they will have a voice in the district and also have facilities for improving the position.

56. Have you and others who have represented the depressed classes co-operated or not?—Yes.

57. There is no tussle between you?—No.

58. *Sir Muhammad Yakub:* You have said that the public men of Madras have helped your community in the Council to have a separate roll. Is it the case that the public men in the Council have changed public opinion in the country in your favour?—I cannot say about public opinion: there are some so-called social reformers who do work for the depressed classes, but it is not all the communities that have their sympathy.

59. *Sir Ernest Bennett:* In the schools of Madras, primary and secondary, whether they are supported entirely by Government or are aided by grants from Government, is there any difference made in the case of boys or girls of the depressed classes in general?—They do not allow us to enter the schools. The moment we send our boys or girls, the caste Hindus boycott the schools. They will see the parents of the caste children and also put economic pressure on the parents of the depressed classes so that they will withdraw their children.

60. Although you have the legal right, in practice you do suffer disabilities?—Yes.

61. *Sir Sunder Singh Majithia:* May I ask if the disabilities under which you people suffer in this province are as strict as they used to be in the olden times?—Yes.

62. There is no difference?—Except in the case of the persons who are on public bodies and whose help the caste Hindus can get. They have no trouble.

63. You mean to say that the educated people treat you in the same way as the ignorant do?—If they need help from the public members of the depressed classes—I mean members on the local bodies and other institutions—they have sympathy, but not all.

64. I am new to this province, how am I to distinguish between the depressed class people and others on the public road?—In the city you cannot.

65. So what I say is if a man does not know the depressed class people he will not be able to distinguish him, then how would he apply the rigours? —In local areas people well understand who's who.

66. In your statement you say, "the number composing each group may have to be varied according to the cultural condition or the literacy of the various classes". How would you gauge the cultural condition?—According to the present system those who possess some property or those who pay a tax are enfranchised. Hereafter when we want to extend the present franchise, it should be according to the economic condition of each and every community. Supposing there is a man of the Madiga community who is earning only 3 annas a day, he should be enfranchised and then there is a man of another community earning 8 annas a day, he should also be enfranchised. It should be according to the economic condition of each community.

67. *Mr. Ramaswami Ayyar:* Suppose the franchise is extended by fixing a wage-earning capacity as the test, will you accept that?—Yes.

68. Will you accept that in preference to the literacy qualification?—Literacy qualification cannot be achieved at the present stage.

69. You prefer wage-earning capacity as the test?—Yes.

70. What will be the wage that you will fix to give the franchise? What will be the monthly wage for your community which will give it enough representation?—All the communities of the depressed classes cannot be kept on the same level.

The Chairman: Are you suggesting that you can fix the wage-earning capacity for the whole of the depressed classes?

Mr. Ramaswami Ayyar: As an alternative to the tax-paying capacity.

71. Suppose the wage-earning capacity is the test, then you agree to a joint electorate?—Not at this stage.

72. I understand that you ask for separate representation for the Arundhateeya depressed class. May I know whether there are any other small communities which may ask for or require separate representation like your own community?—If they are sufficient numerically, their case will also have to be considered. If they are very small in number, they cannot be considered. For instance, there is a community numbering about 450 which comes under the category of Nayadis. If they also propose to ask for representation then it will be very difficult. If it is to be like this, then adult suffrage should be given so that everybody may have a chance.

73. I want to know whether, in your opinion, there is any other small community which requires representation?—No.

74. *Mr. Raman Menon:* Would you prefer reservation of seats in a general constituency?—Not in the beginning. I do not accept reservation of seats in a joint electorate at present.

75. You want separate electorates?—Yes.

76. During the course of the voting, are you sure that you would get a sufficient number of seats? It is possible that men of your community may

be out-voted by the men of a major community like the Adi-Dravida?—If separate electorates are given we are sure of a certain number of seats.

77. In a separate electorate you want reservation for your community? Supposing the Adi-Dravidas are in a majority, how you be quite sure that you would get proper Arundhateeya men?—It will take a certain amount of time for the electorate to be educated so that the proper men may be returned.

78. May it not happen that somebody not belonging to your community may come in?—It will happen.

79. At the time of the election an Adi-Dravida may be elected against your wishes?—It will happen.

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Memorandum submitted by the COUNCIL OF THE ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION OF SOUTHERN INDIA.

The Council of the Anglo-Indian and Domiciled European Association of Southern India have the honour to submit this memorandum of the views of their community based on the Questionnaire forwarded by the Franchise Committee. As Responsible Parliamentary Government is definitely the object before the British Parliament, it is the opinion of the Association that immediate extension of the Franchise, while providing that no important section of the community should lack the means of expressing its needs and its opinion, should be limited to 10 per cent. of the population, but that provision be made by legislation for further expansion as and when decided on by the Provincial and Federal Legislatures. The Association claims a separate Electorate.

PROVINCIAL LEGISLATURES.

EXTENSION OF FRANCHISE.

Under the existing franchise the number of voters is a little over 3 per cent. of the population. The main addition to the electorate may be obtained by including the electorates for Municipalities and local boards in the electoral roll, the principle proposed being that all persons who at present exercise the vote in Government and semi-Government bodies should be granted the franchise. In addition to this the Association would suggest the following qualifications for electors:—

(1) Payment of income-tax.

(2) Extension of the vote to retired or pensioned servants of His Majesty who had served in a civil capacity, and also retired railway employees who on the date of retirement drew a salary of not less than Rs. 240 per annum.

(3) The existing house-occupancy qualification to be extended to all urban areas and expanded to include joint tenancy.

(4) All persons over 21 years of age who have passed either the Secondary School Leaving Certificate, European High School or Junior Cambridge Examination.

(5) The existing military service qualification which should be extended to include service in Auxiliary and Territorial forces.

Memorandum by the COUNCIL OF THE ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION OF SOUTHERN INDIA. [*Continued.*

Such an electorate would be administratively manageable and the preparation, maintenance and revision of the electoral rolls easily arranged for by the information supplied by Municipal and Local Board Offices, Pensions Department, Railway Companies, as well as by Government calling for applications for registration in the electoral rolls.

Adult suffrage is not practicable at present owing to the prevailing illiteracy among the masses—nor does the Association favour the group system at present, as such groups would be likely to be influenced by one or more "intelligent" voters, and the possibility of factions being formed in an otherwise peaceful village has to be considered.

FRANCHISE QUALIFICATIONS.

The Association has no information of any marked disparity in the operation of franchise qualifications between urban and rural areas in their community, but the suggestion that numbers should govern the voting strength of each community is considered impracticable and inequitable. The electorate should be an intelligent electorate. Literacy therefore is the soundest basis of qualification and numbers in this connection must necessarily be quite secondary. An electoral register based on numbers would be unwieldy and in the case of minority communities would tend to deprive intelligent voters of the exercise of the franchise. The Association does not favour joint electorates.

The property qualification is, in the opinion of the Association, only one of the suitable tests of fitness for the franchise, other tests of fitness as suggested above being education, payment of taxes, military service—these being independent of property qualification.

WOMEN'S SUFFRAGE.

The Association is of opinion that women should be admitted to the suffrage, and suggest in addition the following qualifications:—

(1) The wives and widows (if over 21 years of age) of men entitled to vote under the property qualification,

(2) The educational qualification as applicable to men,

(3) Payment of income-tax,

(4) Present voters on municipal and local boards electoral rolls.

The group system of representation is not advocated, nor does the Association agree with the suggestion that Legislatures should co-opt women members. The time has arrived when, even in India, women stand on the same platform as men in the public life of the country and there is every prospect of women competent to deal with political and national problems being elected.

REPRESENTATION OF DEPRESSED CLASSES.

With the awakening of the depressed classes, the Association is of opinion that their claim to direct representation in the Legislature by separate electorates should be granted to this community so that representatives of their own choice may be elected to the Legislatures. In the general electorate these classes would be absolutely debarred from any kind of representation of their own choice. The depressed classes should include only the untouchables and in their case the group system might with advantage be adopted.

REPRESENTATION OF LABOUR.

Labour should be represented by separate electorates and all Parliamentary representatives of labour should, by legislative enactment, belong to

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Memorandum by the COUNCIL OF THE ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION OF SOUTHERN INDIA. [*Concluded.*

the labouring classes. The intervention of persons outside the ranks of labour trying to obtain preponderating influence in labour circles is fraught with serious danger to the true advancement of labour as they are strangers to the conditions of the work and social life of labour and should be stopped by legislation.

Labour should be given the widest opportunity to develop on its own feet and if this is legislated for Government may pave the way for some Indian labouring man developing in course of time from Engine Cleaner to Privy Councillor as has happened in England.

In Industrial areas there should be no difficulty in introducing separate electorates it being a condition that only *bonâ fide* labour men are eligible as voters and candidates.

Where labour is unorganized such as Agricultural and Planting areas, the group system seems to offer the best means for satisfactory results.

REPRESENTATION OF SPECIAL INTERESTS.

The Association is of opinion that the representation of special interests should be retained. Almost all these special interests have a direct stake in the country and add strength and prestige to the Legislatures, more especially would we emphasize that landholders, zemindars and talukdars should be granted as large a representation as could possibly be arranged for in view of their position as landowners in the country. They should be granted representation not only through election by their own particular associations but also the larger landholders should be allowed as owners of estates to sit in the Legislature as hereditary representatives of their houses and families subject to the approval of the Governor of the Province.

THE FEDERAL LEGISLATURE.

The Association agrees that the election of representatives of British Provinces in the Upper Chamber should be by the Provincial Legislatures by a single transferable vote.

For the Lower Chamber the election should be by territorial constituencies consisting of qualified voters, voting directly for the candidates of their choice. It is suggested that the property qualification for the Lower Chamber be double that of the Provincial Legislature and that the minimum educational qualification be the Intermediate Examination in Arts, Science or Engineering.

In the Madras Presidency each revenue district should be rated as a separate constituency, two smaller districts being combined, for this purpose where they are contiguous, into one.

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Mr. A. REBEIRO, representing the Anglo-Indian and Domiciled European Association.

1. *The Chairman:* You are speaking on behalf of the Anglo-Indian community?—Yes.

2. Can you tell me your numbers in this province?—23,492 according to the 1921 census.

3. There is an Anglo-Indian Association for which you are speaking. Is that right?—That is right.

4. Have you got any representation in the existing Legislative Council? —The community has.

5. How many seats?—One.

6. You have said that the number of members of the legislature should be increased from 130 to 200 or 230?—Yes.

7. I understand that you still want representation in the Council?—Yes.

8. Will you be content with one seat in the new Council?—I understand that the local Committee has recommended 2 seats.

9. This is what you ask for?—We asked for 4.

10. Can you tell me why you raise your number from 1 to 4 when the legislature is not even going to be doubled? What is the reason? Why do you want increased representation?—Our object is to cover the several areas over which our community is distributed. Our community is distributed throughout the Presidency, and we thought that each group should have representation. The population in Madras and Chingleput numbers 13,400 and the remainder are distributed over other districts and we asked that we should have one representative for the northern districts, one for Madras and Chingleput, one for the southern districts and one for the central and western districts.

11. You base your claim for separate representation on the fact that you are a separate community, separate from the Europeans on the one side and the Indians on the other. Is that correct?—Yes.

12. And on the ground of your special economic interests in the railways and so on, you consider that you require some special protection by representation in the legislature?—Yes.

13. That is the view expressed elsewhere and I imagine your view is the same?—Yes.

14. *Mr. Butler:* How do you suggest that your community should elect the members? By the ordinary system?—So far the postal system has been conceded to us.

15. You think that is satisfactory?—Yes.

16. *Mr. Tambe:* Who are the domiciled Europeans?—Those Europeans who have made their permanent domicile in the country.

17. Are they not eligible to be members of the European Association? —I am not aware that they are.

18. How many are they? What is the population of the domiciled Europeans?—It is difficult to give figures.

19. How many seats are you going to give them? Two seats out of four?—That is not a separate consideration at all. We are virtually considered to be one community. They do not classify themselves as Europeans. They have been in India for many years and made their domicile here and they have their families here. They do not consider themselves separate from the Anglo-Indians. They are all one body, Anglo-Indians and domiciled Europeans.

20. *Khan Bahadur Aziz-ul-Huque:* Can you tell me the total voting strength of your community?—In the 1926 elections we had an electorate of 2,816.

21. Out of?—The population was just over 23,000 in 1921.

22. Are you in favour of the extension of the franchise?—We have made a definite recommendation in our memorandum for the extension of the franchise.

23. What would be the criterion? Would you have property qualification?—We have not asked for a separate qualification. We have made a general recommendation bearing in mind the proposal that the franchise should be extended to between about 10 and 25 per cent. of the population. We have made a definite recommendation for the extension of the franchise so as to go up to those percentages.

24. *Diwan Bahadur Rasmaswami Mudaliyar:* So far as your association is concerned both Anglo-Indians and domiciled Europeans can be members. I take it that if a separate electoral roll is prepared by the Government for the Anglo-Indian constituency and if a domiciled European elects to come in that roll as an Anglo-Indian, he certainly would not be on the separate European constituency roll also?—Certainly not.

Memorandum submitted by Rao Bahadur S. V. NARASIMHA RAO Pleader, Kurnool.

I.—PROVINCIAL LEGISLATURES.

1. Extension of Franchise.

(*a*) I would suggest the following principles for extending the existing franchise for the Provincial Legislature so as to include 10 per cent. of the population in the electoral roll.

Assessment to any municipal tax in mufassal municipal towns.

Assessment to any tax under the Madras City Municipal Act in addition to the qualification by virtue of the occupation of house of annual rental value of not less than Rs. 48.

Income-tax assessment.

Registered pattadar of ryotwari or zamindari land bearing an annual assessment of not less than Rs. 2.

Registered leaseholder of an agricultural holding on an annual rent of not less than Rs. 5.

A minimum educational qualification for persons possessing no property qualification, which should not be lower than a certificate of having passed III Form or its equivalent the VIII standard class examination. I am not in favour of prescribing the rather low qualification suggested by the Statutory Commission. The existing military qualification may be extended so as to include service in the Auxiliary and Territorial Forces.

(*b*) Yes.

The existing franchise under the District Municipalities Act has led to no unsatisfactory results and on the other hand has led to the generation of that undefined quality, *viz.*, civic conscience among the vast mass of our urban populations. Even in our rural areas there has been a phenomenal awakening during the last decade among all classes of the population due to a variety of causes of which the elections to the local boards and the enlarged legislatures, Provincial as well as Imperial, are not the least important. And I have no doubt that under the extended franchise the voter will be as capable of casting an intelligent vote as the ordinary illiterate voter under the existing basis of franchise.

Memorandum by Rao Bahadur S. V. NARASIMHA RAO. [*Continued.*

(*c*) The electorate should certainly be administratively manageable. It would only be a question of more expense. Extension of popular government necessarily entails additional expense to the State in some directions.

(*d*) I do not consider that it would be either practicable or desirable to enlarge the electorate still further at present. The extension of the franchise so as to enable 10 per cent. of the population to find their place on the electoral roll would by far democratize the administrative system and would also make feasible the proper representation of the varied interests in the community in the Provincial Legislature. It may not be desirable to widen the electorate still further at present with the large mass of illiteracy prevailing in the rural parts of our country.

(*e*) Any system of group electorates would lead to endless complications and would not also tend to foster democracy in the country. I cannot conceive of any special advantages to the community by the creation of a complicated electoral machinery like group electorates. Such electorates may be utilized by designing persons for promoting their selfish purposes. They would automatically become communal electorates in another name and form. A kind of sectional exclusiveness would come to be associated with such electorates. Again the group system is a method of indirect election which is not in consonance with the ideals of representative government.

(*f*) Sectional exclusiveness would be perpetuated if only group electors should be allowed to stand as candidates for such constituencies in the event of separate constituencies being formed for group electors. The very purpose of responsible government would be defeated if sectional feelings are allowed to thrive in the country in ever-expanding measure.

2. FRANCHISE QUALIFICATIONS.

(*a*) I do not consider that in my part of the country there is any marked disparity in the operation of the franchise qualifications in urban as compared with rural areas.

(*b*) I am not in agreement with this suggestion for the simple reason that the franchise qualifications if fixed sufficiently low as well as broad-based would find almost an equal voting strength in the different communities for which communal representation is now in vogue.

(*c*) The possession of property of some kind is in my opinion a suitable test of fitness for the franchise. I consider the existing property qualifications suitable in principle.

(*d*) I am in favour of introducing a qualification based on education independently of property. I would prescribe the possession of a certificate of having passed the III Form or its equivalent the VIII Standard class examination as the minimum qualification. Persons who have received education up to what may be called the middle school standard can well be expected in these days of progress and enlightenment to cast an intelligent vote in legislative council elections.

(*e*) I am in favour of even extending the qualification so as to include service in the Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) I am in favour of increasing the women's electorate in the ways suggested by the Statutory Commission. I would suggest the same educational qualification and age-limit for men and women. I would favour increase in women's electorate to about two million voters.

Memorandum by Rao Bahadur S. V. Narasimha Rao. [*Continued.*

(*b*) It would not be a feasible plan to form women into groups for a scheme of group representation. If at all such a system is established the groups should contain both men and women.

4. Representation of the Depressed Classes.

I do not consider that depressed classes for some time to come are likely to secure representatives of their own choice in the general electorates even with the extended franchise. Some reservation of seats sufficient to secure adequate representation of the depressed classes in proportion to their number is essential for the present. And the candidates for election should be of the depressed classes only. In suitable localities in the Province men of the depressed classes would be found who are capable enough to act as spokesmen of their community in the Provincial Legislature. In such localities seats for the depressed classes may be reserved in the general constituencies. I am not at all in favour of separate electorates for the depressed classes.

The group system of representation would not and cannot work satisfactorily in the case of depressed classes as the various sections and groups among them have constant internecine feuds which stand in the way of their joint action for common purposes. Again it may not be easy to arrange its proper organisation in the case of an extremely backward class of the community like the depressed classes.

5. Representation of Labour.

Where labour has well-organised associations in industrial areas for the protection of their special interests special labour representation may be accorded by giving the privilege of returning a member to the Legislative Council to one or more registered Trade or Workmen's Unions in a locality with a total membership of not less than 2,500. Similarly if the membership roll of the said organisations is well above 2,500 the representation accorded to them may suitably be increased. Plantation labour may be given similar representation subject to the same conditions as for industrial labour.

I do not think agricultural labour can be given any special representation as it is not well-organised anywhere in this Province.

II.—THE FEDERAL LEGISLATURE.

6. Allocation of seats to British Indian Provinces.

(*a*) I agree with the proposal of the Federal Structure Committee that the representatives of British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislatures by a single transferable vote.

(*b*) I am of opinion that the franchise qualifications for the Federal Legislatures should be different from those fixed for the Provincial Legislature.

For the Upper Chamber—the voters would be the members of the Legislative Council and the qualifications for candidates may be the same as those now prescribed for voters for the Council of State.

For the Lower Chamber—my view is that direct election should be adopted in preference to the indirect method in view of the fact that the voice of the people would be reflected best in the popular House of the Federal Legislature only when the chosen representatives of the nation are returned by the direct vote of the people. Indirect election especially in a country of diverse interests sometimes diametrically opposed to each other can never be a satisfactory device for securing effective popular representation in a legislative body.

Memorandum by Rao Bahadur S. V. NARASIMHA RAO. [*Concluded.*

I would suggest the following franchise qualifications:—

Assessment to municipal tax or taxes of the aggregate sum of Rs. 5 in mufassil municipal towns.

Assessment to tax or taxes of the aggregate sum of Rs. 5 under the Madras City Municipal Act.

Income-tax assessment.

Registered pattadar of ryotwari or zamindari land bearing an annual assessment of not less than Rs. 15.

Registered lease-holder of an agricultural holding on an annual rent of not less than Rs. 15.

For persons possessing no property qualification, an educational qualification may be prescribed. The minimum I would suggest is secondary school leaving certificate holders declared eligible for college course.

Of the 32 seats proposed to be allotted in the Lower Chamber for this Province, 24 may be given for general constituencies in the districts at the rate of one for each district approximately except in the case of a small district like Nilgiris and one for Madras City general constituency. Of the remaining 7 seats 5 may be set apart for the Muhammadan constituencies, two for Telugu districts, two for Tamil districts and one for the West Coast districts. Madras City may be grouped under a Telugu or Tamil constituency for Muhammadan representation. The territorial constituencies would not be unwieldy ones under the arrangement proposed by me, except, perhaps, to some extent in the case of the Muhammadan constituencies if separately formed. A district in this country though of sufficiently large size is a fairly compact area with administrative and historic traditions of its own wherein the mutual contact between the several parts thereof is not so remote as might naturally be supposed by outside observers. And in the future Federal Parliament of self-governing India every revenue district should as far as possible have its spokesman chosen by the suffrages of a sufficiently broad-based electorate. In the case of the Muhammadan constituencies the electorate is spread over a fairly large area which appears to me to be inevitable under the circumstances.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

For women and depressed classes seats (one each) may be reserved in the Madras City General Constituency as the best representatives of the two interests can be returned by the most enlightened electorate of the Province. A representative for labour from this Province if deemed essential would have to be found by the allocation of one more seat to this Province. In my opinion the interests of labour would not suffer very much even if Madras is not given the right to send a special labour representative to the Federal Legislature, as Madras is industrially a backward province and special labour problems affecting this Province are hardly of such importance as to need special representation. The suggestions made under this heading are based on the assumption that Madras would be allotted only 32 seats.

8. GENERAL.

There should be single seat constituencies for both Provincial and Federal Legislatures, except where seats are reserved for the representation of women and depressed classes. It would be conducive to the purity of elections if some plan is arranged by which illiterate voters as well can be made to vote in *secret*. Distinct language areas in a district like the Kanarese taluks of the Bellary district may be made separate electoral constituencies. Similarly the two taluks of Cumbum and Markapur which are cut off from the rest of the Kurnool district by a wide range of hills and forests will have to be made a separate electoral unit.

M. R. Ry. Rao Bahadur S. V. NARASIMHA RAO Avargal, Pleader, Kurnool.

1. *The Chirman:* You are speaking in your individual capacity?—Exactly.

2. Have you seen the recommendations of the Provincial Franchise Committee about the extension of the franchise?—I saw them in the newspapers. I did not see in detail.

3. I see you say that it is not desirable to extend the franchise beyond 10 per cent. of the population?—Roughly 10 per cent. Beyond 10 per cent. is not advisable at present.

4. And the basis of that should be ownership of property in some form?—Mostly a property qualification.

5. What representation are you prepared to give to the remaining population? You will give them no representation in the legislature?—If 10 per cent. of the population is enfranchised they will take care of the interests of the rest of the population.

6. Are you quite sure of that? Have you ever studied the history of democracy?—To some extent.

7. Because if you will read about the whole movement of the extension of the franchise, you will find that your proposal is based on a wrong hypothesis?—For the present my view is that more than 10 per cent. cannot be enfranchised.

8. You have no proposals to make for giving the rest of the population any representation at all?—For the present, no representation.

9. You don't even admit some form of group system for this purpose?—I do not recommend the group system at all.

10. I see that you would give representation to labour through trade unions?—Yes.

11. You think that the existing trade unions are sufficiently well organized to be able to represent labour?—If there are no well organized trade unions, it is not possible to give representation to labour.

12. You would not object to the trade unions representing labour in the event of their being properly organized and registered?—No.

13. Turning to the Federal legislature, have you made an estimate of the number of voters there would be for the Federal Assembly on the basis of the franchise qualifications you propose?—Not an exact estimate. I think that would be a sufficiently wide basis for returning proper representatives to the Federal Legislature.

14. *Diwan Bahadur Ramaswami Mudaliyar:* You advocate single-membered constituencies both for the Provincial and the Federal Legislature?—Yes.

15. This I take it is after your experience of the multiple constituencies that are prevailing now?—Exactly.

16. *Khan Bahadur Aziz-ul-Huque:* I want to know why you consider that a multi-membered constituency is not desirable?—Because in that case much manipulation can be made by the candidates and a number of single votes will be recorded to the disadvantage of other candidates. Even when the voters are inclined to vote for the other candidate, a candidate may persuade him to give a single vote. So many other disadvantages exist.

17. Do you recognise that it gives to the minorities a chance of getting more representation?—For the minorities there is reservation.

1st March, 1932.] Rao Bahadur S. V. NARASIMHA RAO Avargal. [*Continued.*

18. *Mr. Chintamani:* May I take it that your principal objection to the extension of the franchise to more than 10 per cent. of the population is that there will be administrative difficulties?—To a certain extent, administrative difficulties. I am against that also on account of the volume of illiteracy prevailing in the rural parts of the country.

19. As regards administrative difficulties, suppose the Government says that it would be quite possible to manage an electorate of 14 per cent., would you have any objection?—Absolutely no objection.

20. As regards intelligent voting, do you think there will be any perceptible difference?—No perceptible difference.

21. As regards single-membered and multi-membered constituencies, you are aware that separate electorates or reservation of seats can at best be provided only for powerful minorities. Constituted unfortunately as we are at present, there are various sects, communities, castes and so on. A single-membered constituency does not give them a chance, whereas if there is a multi-membered constituency they will have a chance?—When there are multi-membered constituencies, I don't think the minorities have any better chance of securing representation. Brahmans are in a minority, but even then they don't get any advantage in those districts.

22. *Mr. Butler:* How far do you think your 10 per cent. will include the less wealthy classes? Would it give representation to the poor people of the villages?—10 per cent. will give representation to the poor people also. According to my proposal any person who pays Rs. 2 as assessment will get the vote and they are necessarily poor people.

23. What standard would you have?—Some basis there must be because in my view some property qualification is essential and so I have recommended as I thought right.

24. *Sir Muhammad Yakub:* What would be the effect on the quality of the members on account of the extension of the franchise? If the franchise is extended do you think that more literate and more capable members will be returned or otherwise?—Equally good members as are now returned can be returned even with the extension of the franchise. Even if it is extended to a little more than 10 per cent., I don't think the quality of the members will be affected.

25. Is there any keen desire on the part of the people of Madras for an extension of the female franchise?—I think there is some demand for it.

26. How much extension do you want? Do you want to give them some artificial qualification or not?—I approve of the proposals made by the Statutory Commission.

27. Do you want to give them some artificial qualification?—That is my suggestion.

28. *Mrs. Subbarayan:* You are in favour of an increase in women electors by about 2 millions?—Yes.

29. Is it because women's vote will not be effective unless there are at least 2 million voters that you are suggesting this?—That is my view, Madam.

30. In answer to question 3 (*b*) you say that it is better for men and women to be grouped together?—Yes.

31. Do you think that women will have a chance of getting elected as secondary electors?—If group representation is given, they may not have it. I am not in favour of having separate groups for men and women.

32. You are not in favour of separate groups?—I am not. Enlightened ladies can be returned even from such groups.

33. *The Hon'ble Mary Pickford:* With regard to the Federal Legislature you say that you are in favour of a reserved seat for a woman to come from the Madras City General Constituency?—Yes.

34. Would you also be in favour of a certain number of seats being reserved for women in the Provincial Legislature?—Some seats may be reserved for women also in the Provincial Legislature, but in places where enlightened ladies can be returned, seats need not be reserved.

35. Would you be in favour of the system proposed by the Provincial Franchise Committee to form specially selected constituencies which it would be possible for women to contest?—Yes.

36. *Mr. Daniel Thomas:* You are in favour of a literacy qualification for men and women?—Yes.

37. Seeing the conditions prevailing in the country, would it not be better to have a lower literacy qualification for women?—I have suggested the middle school standard.

38. It will enfranchise only very few women?—Yes.

39. Would you not favour a further lowering of the literacy qualification?—If it is possible, it can be done.

40. *Mr. Basudev:* You say in your answer that owners and occupiers of houses of a certain annual letting value in the city of Madras should be enfranchised. Do you wish to extend that qualification to sub-tenants also? The Provincial Committee voted down the proposition for extending the franchise to sub-tenants. A man may be paying Rs. 20 a month and yet, being a sub-tenant, he would not, under their scheme, be entitled to have the vote?—If we allow it, it will have other complications.

41. What complications?—Any number of persons can be put forward as sub-tenants. If it is confined to the chief tenant, there will be no difficulty.

42. You are in favour of adult franchise as an ideal?—Yes, as an ideal.

43. If adults get votes somehow or other, you will not object to it?—At present it is not feasible.

44. With regard to constituencies, you are for single-membered constituencies?—Yes, Sir.

45. In this presidency there are communal differences?—Yes.

46. Therefore if we have single-membered constituencies there is the danger of one community dominating the others?—Yes, it has been doing so.

47. If we have single-membered constituencies, that danger will continue?—I do not think it will be perpetuated.

48. In the West Godavari district there is a keen fight between Kammas and Kapoos and, as such, there is no chance for the Kapoos to get representation?—In parts of the districts where particular communities predominate, the majority community generally sweeps the polls. Now Brahmans are a minority community and even if there are multi-membered constituencies, it would not help them.

49. You say that multi-membered constituencies will not help minority communities?—Yes.

Memorandum submitted by Mr. GEORGE JOSEPH, Bar.-at-Law, Madura.

I beg to send herewith my answers to the questionnaire issued by the Franchise Committee. I have deliberately refrained from offering any observations on the question of the Federal Legislature for two reasons. Firstly, I am clear that till the Provinces actually work on the basis of autonomy, it will be impossible to define the Federal Franchise in the light of any relevant experience. Academic constructions of the Federal Franchise you can have: but the Committee can do an academic exercise as well as myself. Secondly, if it is a central franchise you want as distinguished from a federal, I am emphatically of opinion that the scheme of indirect election through the Provincial Legislatures with the single transferable vote is far and away the best: and not one of the alternatives comes within miles of it for efficiency or statesmanlike outlook.

* * * * * *

Answers to the Questionnaire.

I should have preferred that adult franchise was considered as practically feasible. Administrative difficulties in building up electorates on that basis will no doubt exist; but none of them will be of an insurmountable nature. Since however the objective of the Franchise Committee is to enfranchise 10 to 25 per cent. of the population, the observations I shall make will be designed to that end. There is a second remark I may make at this stage:— I assume that the existing communal electorates will not be scrapped in piecemeal fashion. It is one thing if as a result of general agreement among the minorities, all special representation is given up. But it is quite another matter and will be altogether indefensible if special electorates say for Muslims are retained and the corresponding privilege of Europeans or of Indian Christians is abolished.

I.—PROVINCIAL LEGISLATURE.

1. Extension of Franchise.

(*a*) Roughly speaking. I should say that if the men and women who are qualified to be voters under the City Municipality Act, the District Municipalities Act and the Local Boards Act are enfranchised for the Provincial Legislative Council it would meet the needs of the case. At present the number of such people is 4,890,495, while the number of voters if 10 per cent. of the population of the Province are enfranchised will be 4,673,185. In principle, the proposal is submitted as sound. In practical administration also, there is this advantage: there is an electoral roll ready-made which is recent and up-to-date. For the elections on the rolls thus prepared are not quite over, and not many alterations are likely to take place when the roll for the Legislature comes to be prepared.

(*b*) Yes. Though as stated already some of the elections are outstanding, such of the elections as have been already held have shown that the new and extended electorate has been in nowise worse than the voters under the older legislation; and this in spite of the fact that the newly introduced element of reservation had introduced a new complexity and cast an additional burden in the intelligent exercise of the vote. The only criticism of importance about the recent elections was that there were not enough of contested elections and that there was a tendency for opposing candidates to enter into "arrangements" and to refrain from fights. But that was

due not to any fault of the electors, but to the economic depression which has led to the universal indisposition to enter on courses leading to the expenditure of money.

(*c*) Yes. The experience we have had in municipal and local elections is fairly conclusive on the point.

(*d*) Does not arise.

(*e*) If my proposal to enfranchise for the Provincial Legislative Council those who are qualified to vote for municipal and local elections is accepted, the machinery at present available under the Municipalities and Local Boards Act can be made use of. If what I shall suggest a little later in regard to the enfranchisement of literates and applicants should find acceptance, the existing machinery will have to be a little expanded: that is all.

(*f*) The proposal does not appeal to me. I do not think it will be workable in any genuine sense. The elector representing a group will not represent 20 people but only the head of the village punchayet, it does not matter in the least whether the punchayet is official or non-official. The notion is very much like a proposal of Dr. Besant long ago, involving a pyramidal representative system. It is unsound in principle. If a man has a vote, he must have a whole one, instead of a fractional twentieth. If for any reason, he is considered not good enough for one let him be frankly without. It will be his business to qualify himself for one by bettering his economic condition or by some other way of doing it

(*g*) If finally it is decided to have separate constituencies for group electors, obviously only group electors should be qualified to stand. Otherwise the political carpetbagger will be all over the place, and there will be just one more seat for that type. But it may be seriously considered whether group electors while exclusively qualified to contest such separate constituencies need be disqualified from contesting open seats.

2. FRANCHISE QUALIFICATION.

(*a*) Since I am for the franchise on the basis of that for municipalities and local boards, it is too early to say anything dogmatic on this question; in view however of the franchise under the previous legislation on the subject and its practical working, there is no reason to suppose that such disparity will exist. If the question relates to the existing franchise for Legislative Council, the wide area covered by rural constituencies makes the elector fairly helpless, because there is no definite individuality or coherence or touch between the elector and the representative compared to an urban elector. The practical way of meeting this difficulty will be to reduce the size and geographical extension of the constituency and insistence on single-member constituencies.

(*b*) I am not sure that I understand the question clearly: but I assume it relates to the numbers on the electoral rolls. I do not see why there should be any such principle or objective. The sounder procedure will be to lay down your qualifications, and then have everybody come in who is qualified. For instance, if a property qualification is deemed essential, I do not see why a community which is well-to-do should not have a large number on the electorate or why its numbers should be reduced because another community in the Province is excessively poor. As a matter of fact, if communal representation is retained, I do not see what purpose is achieved by regulating the voting strength. The community concerned will return its members according to its will. But if the idea is that communal representation is to be by what is called reservation, the proposal is not only intelligible but may even be indispensable. But I beg to enter

Memorandum by Mr. GEORGE JOSEPH. [*Continued.*

my caveat against any such notion, and I believe that the minority to which I belong, the Indian Christians, will support me. But for the present, I shall venture to dismiss it as a ghastly nightmare.

(*c*) The possession of property is a suitable test, and the existing qualifications under the Municipal and Local Boards Acts are suggested as suitable. After all, it is a thing based on experience and approved of in legislation and Statutory rules for which a popular ministry and Legislative Council were responsible. This should be sufficient warranty for its soundness and practicableness.

(*d*) Yes. There was a time when the educated classes contained uncomfortable elements from a political point of view. Now the position is reversed. The emergence of the masses to political consciousness under the inspiration of Gandhiji has brought about a new situation. At one time, the Indian political mind was modern and looked to Europe and Western civilisation for standards and values. Now on the other hand, the Indian mind is definitely reactionary, repudiating civilisation and pledged to primitiveness in economics and social and political methods. I am convinced this is not only a mistake but carries with it grave danger in the future. It is only if modern education and European methods are preserved that India can have a future in the Empire. From this point of view it is of the utmost importance that people who have had the benefit of modern education and have had instilled into them respect for Western ideals should be made to pull their weight in the political sphere. Almost anybody educated in our schools is fitter for democracy built on social egalitarianism than one who has missed modern education. I should therefore give a vote to every educated person. What the standard of education should be for this purpose is not easy to define: but at least every one who has appeared for the School Final Examination should be given a vote. I do not say there are not intense reactionaries among those with modern education (Gandhiji is perhaps the supreme instance): but taking it all in all, my thesis is that every one who has gone up to the School Final class will be a greater friend of civilisation than one who has not. This will add to the numbers of electors beyond the 10 per cent.: but the increase will be far within the 25 per cent.

(*e*) Not only am I in favour of retaining the existing military service qualification but also in favour of giving the franchise to those serving in the Territorials and the Auxiliary forces. It is of the greatest importance that national defence should be understood to be as much the duty of the citizen as the claim to self-rule. In South India, especially, people do not seem to have the remotest idea of the connection between the two functions. Somehow, the connection must be brought home to the popular imagination: and the qualification suggested will help to bring about the result.

3. WOMEN'S SUFFRAGE.

I have no observations to make on the question.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

Special provision should be made for the representation of the depressed classes. Inherent probabilities and experience have made it clear that not a single member of these classes will be returned to the legislatures through the general electorates. The Montford Scheme has been functioning for over a decade, and there had been various experiments in the electoral system previously. But no member of these classes was elected. It is equally clear that the majority of nominees to the Councils from among them have done

remarkably well, both by the manner in which they have safeguarded the interests of their communities and their contribution to general statesmanship. If they had failed to find a place and platform in public life, it would have been visibly the poorer. The test is shortly this: if a member of the depressed classes can get into the legislature, well and good. If not provision must be made for it. Reservation of seats on the basis of a general electorate will not do. The history of minority representation, if it means anything, means that. Muslims were the first to secure that safeguard, and the experience of the last twenty-two years does not suggest that its need is exhausted. As far as I can make it out, the representatives of the depressed classes want the safeguard: and that is conclusive. As for the strength of the depressed classes in the Madras Council, it is by no means an easy matter to decide. Enfranchise by all means the 10 per cent. if you can: I am however sceptical on the point. The formula I would have as to the number in the Council will be as follows: If the number of electors from among the depressed classes should be 10 per cent. of their population, give them in the legislative council representatives in proportion to their strength in the general population. If the number should be less, the strength of representatives should be reduced proportionately. By the time adult franchise comes through, they will have the full quota of representatives (*i.e.*, if in the interval as a result of actual experience in Provincial Autonomy the minorities no longer want special representation the question drops).

5. REPRESENTATION OF LABOUR.

I have nothing to submit on this topic.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

I have nothing to say.

On the qualifications for the franchise in the Provincial Legislative Council, I have a suggestion to make not covered by the questions.

Apart from property and educational qualifications, I should have it laid down that whoever applies for the privilege of franchise and pays a prescribed fee for registration should be put on the register. The customary, qualification is on the assumption that if a man possess property or should have passed an examination or failed to pass one he will be interested sufficiently in public affairs and be competent to influence the choice of a representative. What I contemplate is the case of the man who by his very act proves that he values a vote and knows how to cast one. But for the other approach imposed on us by history, one should have thought that the test of interest and competence should have been more natural. As it is, the man who possesses property and is an educated person may not care a straw for politics and may have no sense of civic duty; but he will have a vote cast on his. While another who is interested in public affairs to the extent of intimating such interest to the authority concerned marking his earnestness by the payment of a fee has no opportunity of choosing a representative or himself standing as a candidate. There is a respectable precedent for this in the State of Vermont in the United States of America where no man has a vote who does not register himself duly. Unfortunately this very excellent and healthy idea has got into discredit in India because of the famous four anna franchise of the Congress. I suggest that the principle at the bottom may be adopted.

Mr. GEORGE JOSEPH.

1. *The Chairman:* Good morning Mr. Joseph. You come from Madura?—Yes, My Lord.

2. I understand you speak in your own individual capacity?—I do not speak on behalf of any organization.

3. I see you are in favour of the same franchise qualifications as proposed by the Provincial Franchise Committee?—Yes, I am in favour of the local board franchise.

4. They propose certain additions for bringing the voting strength to about 5½ millions as against your proposal for 4,600,000?—I am not suggesting the same additions. I take that as the thing to start with.

5. I understand that you would like to have the franchise extended as far as it is administratively possible?—Yes.

6. You base it on property and education?—Property, education, and military qualification. Elsewhere I have suggested that if any person really applies to be made a voter and is prepared to pay a reasonable fee, he should be made a voter.

7. If we take your figures, it comes to 12½ per cent. of the population?—If we have 10 per cent. it would be 4,600,000, and according to local boards franchise it would be 4,800,000.

8. You have no proposal to give any representation of any kind to the remaining four-fifths of the population? You object to the introduction of the group system in any form?—I do object; but I said, right at the beginning, that I would go in for adult franchise the whole way, provided it is administratively possible. I do not like the group system because it does not convey anything intelligible to me.

9. You do not object to a large proportion of the population being given the franchise if it is not administratively impossible?—I mean if the thing is impossible, we have got to put up with it.

10. Under the proposed franchise, there is no likelihood of the depressed classes getting any representation in the legislature?—Not in a general constituency.

11. Therefore some special arrangement must be made for the depressed classes to secure representation in this province?—Yes, I am quite clear about it.

12. Are you prepared for separate or joint electorate for depressed classes?—I would like the question to be decided by their own representatives. As far as I can judge and from my meeting with these people and from reading the literature on the subject, it seems to me that they stand for some kind of separate representation. If it is clear, they should be given what they want.

13. *Sir John Kerr:* You propose, Mr. Joseph, that the franchise might be given on payment of a fee?—Yes.

14. It will be practically universal suffrage?—Yes.

15. Have you discussed this proposal widely in Madura?—I was rather familiar with the idea from what is called the Congress franchise. The whole idea is that if you pay 4 annas you can become a member of the Congress. What I thought was that you might apply the same idea to our electoral system and, instead of 4 annas you could adopt an 8 annas manhood suffrage franchise. Something like that has been fairly familiar to me and I have discussed it with friends.

16. You have discussed it with the public in Madura?—Not with reference to the Franchise Committee's labours, but generally with a view to sound public opinion, we have discussed it.

17. Generally?—I imagine so, because at the time the idea was familiar to my mind I belonged to the Congress movement. It was, at that time, a thing which was fairly obvious to us. And I just feel it is the right thing.

18. You do not think it would be felt as a grievance if people had to pay a fee in order to be placed on the electoral roll?—I provide for it this way. If a man or woman is qualified to come on the electoral roll on any of the other conditions, either property or literacy or military qualification, he or she need not actually pay the fee. If, however, a man or woman does not come within any of these categories and is prepared to intimate his or her interest in public affairs to the extent of paying a fee, I shall just give him or her the vote.

19. *Sir Zulfiqar Ali Khan:* What is your idea in imposing a fee on a person who wishes to come on the electoral roll?—My idea is this: There are certain people who will come on the franchise if the present municipal franchise is adopted. Suppose the literacy test or military qualification is also adopted, persons who are qualified for them will come in. But, I am thinking of those who are left behind—who have not got any property or other qualifications. These people, if they are prepared to intimate their interest in public affairs to the extent of going to an officer and saying that they would like to register themselves as voters on payment of 8 annas, should also be given the vote.

20. You would not make any invidious distinction?—If he is otherwise qualified, he comes in. I am only thinking of those who are not qualified. In fact, it should be regarded as a privilege by them. I would not regard it as an invidious distinction at all.

21. *Sir Sunder Singh Majithia:* In your memorandum* under the Franchise Qualifications you say: "There was a time when the educated classes contained uncomfortable elements from a political point of view. Now the position is reversed." Will you explain what you mean by it?—Well, I am just thinking of the time about 20 years ago when the educated classes were regarded as politically radical elements in the country. Now the masses have really come to have an opinion on these affairs and it is they who are really regulating the pace of political development, according to my reading of the thing.

22. *The Hon'ble Mary Pickford:* In the same paragraph you say that you are in favour of Western education and you condemn wholesale Indian education. Will you develop that point of view?—What I mean by Western education is the education imparted in our schools,—recognised, aided or Government. I really regard that as Western education. But there are the old orthodox types of schools which I class separately.

23. You think that Western education has brought and instilled into Indian minds Western ideals and a political sense?—I do not go quite so far as that. I am just thinking of the necessity for the literacy qualification. I am very much interested in bringing the opinion of the Western-educated people to bear on the solution of our political problems. There is the orthodox element in our country. At one time the orthodox element did not come into politics at all. Well I do feel that there are certain elements in their outlook which may be fraught with danger to the development of a modern democratic system. I mean the caste system and all that.

24. You would like to mix the best of the Eastern with the Western?—Our schools really represent that education.

25. I see you have no observations to make on women's suffrage? You do not think it important?—I do not think it is not important. Generally I am in favour of every woman having a vote just on the same terms as men. With reference to one proposal, namely the idea of giving a lady a

*Page 113.

vote if her husband owns property and has a vote, struck me as just a little difficult to understand. I thought I would reserve my opinion.

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26. *Sir Ernest Bennett:* You are in favour of adult suffrage as an ideal, but possibly in the future?—Yes.

27. You say that difficulties now exist. Do you expect, elections to be held in the near future, in India on an adult suffrage basis?—My feeling is that if, to-day, the British Government should decide to introduce adult suffrage in India, it could be done. The administrative machinery is in their own hands. If they seriously set about it, it can be done.

28. In spite of the fact that the administrative machinery is lacking?—It can be created.

29. You say that the group system is unsound in principle?—Yes.

30. It exists in non-western countries like Egypt and Turkey?—I have no information about that.

31. I think you will agree that if a man has a vote he must have the whole one and not a fraction? If you give 20 men a vote, it is no vote at all?—That is exactly my point. A man with one-twentieth of a vote is no voter at all.

32. *Mr. Butler:* You are an Indian Christian?—I am a Syrian Christian.

33. What is your view about separate representation?—My own personal opinion is that it is necessary for the Indian Christians in this presidency. My feeling is, in the absence of a general agreement dealing with the question of separate representation for Mussalmans and other minority communities, this particular thing should not be interfered with.

34. You realise that your proposal to enfranchise 10 per cent. of the population is practically the same as the proposal of the Provincial Committee?—Yes.

35. Your proposal will take in 23 per cent. of the adult population?—I believe so. I have not worked out those figures. I take it from you.

36. Do you consider that will reach the majority of the population having regard to the social conditions in the villages?—I quite see that.

37. The Provincial Committee's proposal would cover the majority of the social conditions in the villages?—Social elements.

38. My impression is that this 10 per cent. will leave a substantial number out. I want to be quite clear in my mind. The result of the local board franchise will, in fact, cover the majority of social elements in India?—I would just state this: As far as the depressed classes are concerned, I do not know whether, from the point of view of property qualifications and so on, quite as big a percentage will get enfranchised as the members of the other communities. To that extent there will be difficulty. But almost all the social elements will be there though not in the same proportion.

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39. *Lord Dufferin:* How many seats do you want for Indian Christians?—It is very difficult to say. I should like to take my stand on this: I understand there was a minority settlement in London at the time of the Round Table Conference. As far as I remember now,—I have not seen the paper myself—I think about 14 seats were to be given to the Indian Christians of this presidency. I would like to have that as the minimum.

40. Is it in accordance with the principles of Western idealism for you to ask for reservation of seats?—No. It is not. But there is this risk. All the various communities have got to be represented. One might wish that 25 years ago this particular business of separate representation had not been

embarked upon. We are now dealing with historical facts. There is separate representation and I really feel that, as long as separate representation exists for the stronger minorities, the majority will insist on fighting all the rest of the smaller minorities and unless they are provided for in a similar fashion, they will find themselves adrift.

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41. *Khan Bahadur Aziz-ul-Huque:* You belong to the Christian community?—Yes.

42. Is there more literacy in the Christian community than in any other community?—Yes. Very much more, though I cannot give the figures.

43. Can you tell me why the percentage of voters in the Indian Christian community is so small, just 45,000 in a population of over a million?—Their poverty.

44. Have you any special suggestion to make in case representation is given to Indian Christians, how the voting strength of the community is to be increased?—I do not want their voting strength as such to be artificially increased. It is a different thing from the quantum of representation, separate representation, either through special electorates or through reservation. But I do not myself feel there would be anything to be gained by having a very much larger strength on the electoral rolls than the rules justify.

45. Therefore you do not feel any need for giving the vote to the women?—In that case I should like to have adult franchise.

46. If adult franchise is not possible, will you remain content with the present franchise?—Supposing there is the property test, my community is poor and I cannot break my head against any possible solution on those lines.

47. This committee is to recommend what should be the qualification for voters. In view of that, would you require that your voting strength should be increased or should remain stationary?—I am not interested very much in increasing the voting strength, but I would like to have a proper qualification laid down. Suppose literacy is made a qualification, then it will benefit our people, because a very large number of them are literate. But just now, because there is difficulty about the poverty of the people, they are not coming on the rolls.

48. *Major Milner:* Do I understand you to say that there has been a great political awakening among the masses of India?—No doubt about it.

49. Have you appreciated the fact that your proposals would practically refuse the franchise to all those masses whose consciousness has been awakened?—I would like to have adult franchise, but since the Government and the Committee tell me that there are practical administrative difficulties which make it impossible to work, I make this suggestion to have some basis for working what is now possible.

50. Had it not been for the suggestion in the questionnaire as to 10 to 25 per cent., you would be for adult suffrage?—Yes.

51. Assuming that there is some difficulty in having adult franchise, what is your objection to a totally indirect system of voting to get over the administrative difficulty?—What I feel is this. Under this group system, the voters within the group will really be almost led by the nose, so to speak, by the dominant elements in the village.

52. There are over 20 million adult voters and over a million secondary voters.—I think that in the conditions of village life, what practically happens is that an important person or two in the village will secure the support. The personal element is still there. Political education, broadly speaking, is there, but when it comes to competing lines of policy, that is different.

53. Surely, in time possibly that local influence and other things could be done away with?—Then we can have adult suffrage.

54. Could you not accept, as a necessary step, some kind of a system like the completely indirect system?—I do not know anything about it, but *primâ facie* I am against it.

55. You know that the Labour Party in England has always been run on the indirect election basis?—Our Congress also has been following that. If the whole of the Congress scheme comes in, I have no objection. It is really an admirably worked out thing. You start with a four anna franchise; then there is the Taluk Congress Committee, the District Congress Committee, then the Provincial Congress Committee and finally the All-India Congress Committee.

56. *The Chairman:* Do you represent the Indian Christians?—I know that I do represent in this matter the Indian Christians overwhelmingly.

57. You are not officially representing them? I have been consulting them after agreeing to give evidence before this Committee. I have put myself in touch with nearly all the important Christians.

58. Which section of the Indian Christians?—Catholics, Protestants and Syrian Christians.

59. *Mr. Raman Menon:* You said that applying to be registered as a voter and paying a fee is one way of extending the vote. Did you consider the possibility of a big capitalist or a big landlord making his own men apply and get themselves registered before the election?—I have thought of it. We have had experience of it in Madura even under the existing constitution. A man paying 8 annas profession tax gets a vote. It is quite a well-known dodge in Madura in September for somebody to go with Rs. 200 and put in the names of some of his relations on the register by paying 8 annas each, and when the election comes he gets 400 voters. This goes on under the existing conditions.

60. That is no reason why the electorate should not be enlarged. Have you considered that aspect of it?—Yes.

61. *Mr. Daniel Thomas:* The Christian population in this Presidency is over half of the Muslim population, you may take it from me, and I take it that if we do not get 14 seats as agreed to at the Round Table Conference in the memorandum of Minorities, you would accept at least half of the seats to be allotted to the Mussalmans?—I would invoke another principle, namely, weightage. I do not see why weightage should not be given to us.

62. Like Mussalmans?—I would claim more because we are a small minority here.

63. The Christian community has very large educational interests in this province, has it not?—Yes, a very large interest.

64. You said you have no experience of Legislative Council elections. You have experience of municipal elections at Madura?—Yes.

65. And therefore you think that in a general constituency the Indian Christian has not much chance?—That is my practical experience.

66. There is greater literacy both among men and women in Indian Christians, is there not?—Yes.

67. Would you agree that considering the disparity between men and women, *i.e.*, in the number of voters, a lower literacy qualification should be allowed to women?—Well, even in spite of that very admirable argument, I am instinctively against any kind of graded qualifications. Make it as liberal as you can. Whoever qualifies may come in.

68. *Mr. Muthiah Mudaliyar:* Supposing on a population basis the Christian community would get six seats in this province out of 200 what do you think your community should get as weightage?—As I said, I would take it at 14.

69. So you want about 2½ times what you would get on a population basis?—I cannot think of the population basis only in this Presidency. This is the only Presidency where the Christians are in sufficient strength to be elected to the Legislative Council. I do not think there will be any kind of injustice in giving them even this extra 250 per cent.

70. What is the justification for your asking 2½ times what you should get on a population basis?—For one thing there was an agreement arrived at; as far as I understand, that is a very important factor. Secondly, if the Christians are not able to influence public life in this Presidency, they will not be able to do so anywhere else in the whole of India.

71. What is the agreement you referred to, may I ask?—(*Diwan Bahadur Ramaswami Mudaliyar*): An agreement with everybody except the Hindu out of whom the weightage should come. (*The Witness*): I mean the Minorities Agreement, what is supposed to represent 45 per cent. of the people.

72. Apart from the agreement, what is your other justification? What is the principle on which you want weightage?—I thought it was fairly recognised that weightage was conceded in the Lucknow pact. The only question is percentage and I do not think 14 would be such a large number as would overweigh the balance of parties or interests in the Madras Legislative Council.

73. Now the franchise has been extended to literacy, do you think there will be a very large increase in the number of Muslim voters?—I do not suppose it will be very large.

74. If the local board franchise has been taken for the Legislative Council, I put it to you all interests in the country, all classes and communities and sub-sections and all social interests will come on to the electorate.—It depends on the constituencies also.

75. Supposing you have separate constituencies?—Then I agree with you.

76. Supposing there are joint constituencies, there may be a difference in the proportion of voters in one community and another. I think every interest will be represented in the electorate; but assuming that it is only a joint constituency and not a communal electorate, even then there should be a representation of all the interests and communities?—It depends on the extent of reservation.

77. *Khan Bahadur Yahya Ali Sahib Bahadur:* At page 113 para. 1 (*b*) you say: "The only criticism of importance about the recent elections was that there were not enough of contested elections and that there was a tendency for opposing candidates to enter into arrangements and to refrain from fights". Is that from your experience of the Madura Municaplity or is it the state of affairs throughout the presidency?—Madura municipality has been superseded and the local board elections have not taken place. With regard to other parts of the Presidency also, some elections have not taken place.

78. *Mr. Basudev:* Apart from religion, is there any economic conflict of interest between the Indian Christians and the other communities?—When it comes to the exercise of power I think a minority should not be kept out.

79. In view of the fact that your co-religionists, the European and Anglo-Indians are getting some seats, would you still want 250 per cent. of what you have got now?—I wish they remembered they were co-religionists.

80. *The Chairman:* I think you said that the qualification for the vote in the Madura district was 8 annas tax, is that so?—In the Madura municipality.

81. And you say that in a recent election a man paid a large sum of money and brought in a number of men on the roll?—That was just three or four years ago. It was a well-known fact.

82. Can you give me an indication of what sort of members were on the rolls?—I know one case where the ward had about 400 votes and I know a man who had got about 150 people put on the roll of that ward by paying about Rs. 75 and persuading various people to become voters.

83. By paying 8 annas each in order to enable them to come on the roll?—Yes.

84. *Rao Bahadur Gopalaswami Ayyangar:* It does not mean that he is paying the people, but that he is getting 150 people assessed?—Yes.

Memorandum submitted by the MADRAS LANDHOLDERS' ASSOCIATION.

The Madras Landholders' Association begs to present the following memorandum representing the views of the Association on some of the points that your Committee may have to deal with.

1. The Franchise may be extended provided it enfranchises within 15 per cent. of the population. The Franchise qualification may be the same as the existing Local Board and Municipal qualification.

2. Married women who are above 25 and whose husbands are voters may be enfranchised.

3. The Landholders must have separate representation and retaining the present definition the monetary qualification may be reduced to Rs. 2,000 in the case of Zamindars and Malikhana-Holders. The present qualification of Rs. 1,500 of the Jenmies can remain unaltered as it is already sufficiently low.

4. The present ratio of the representation of Landholders to the total elected strength must be maintained. In the new council the Landholders should have 12 seats out of a total of 200. The claim is quite reasonable both in view of the representation already enjoyed which was 5 out of an elected total of 21 and a total membership of 48 under the Minto-Morley Reforms, and 6 out of an elected total of 98, and a total membership of 132 at present, and also in view of the legitimate apprehension that the need will be all the greater in the future firstly because of the disappearance of the official *bloc* and secondly because of the greater tendency for anti-landlord legislation. If the interest is to be adequately represented the present ratio has to be maintained.

5. On condition that the principle of enfranchising the wives of the voters is accepted in the case of general constituencies it can be applied in Landholders' constituencies also.

6. We are definitely against group representation, for in actual working it will be against democratic principles.

7. There should be the same franchise qualification in urban as well as in rural areas.

8. There should be the same uniform qualification even in communal electorates. The property qualification alone is a suitable test under the present circumstances.

9. We are in favour of granting franchise to wives of voters with the proviso that a woman whose name is on the electoral roll at the time of her husband's death should be entitled to vote as a widow.

10. The enfranchisement of wives of the voters may be restricted to married women over 25, but it may be lowered to 21 provided the total number enfranchised does not exceed 15 per cent. of the population.

11. The depressed classes must have separate electorates. Labour may have a representation for the Madras City elected by the Trade Unions. It

is not necessary that either agricultural or plantation labour should get separate representation as it can neither be said to be organised or concentrated and in the case of plantation labour it is shifting and not permanent. The other parts of the Presidency cannot be said to possess any industrial labour in sufficient numbers to claim separate representation.

12. The members of the Senates of the 3 Universities in the Presidency may be allowed to elect one representative for the University seat.

13. We strongly advocate an Upper House in the Province. It should be about half the size of the Lower House. The franchise qualification may be the same as that of the present Council of State. There need be no representation of special interests in the Provincial Upper House.

14. *The Federal Legislature.*—The Upper House must be elected by indirect election from the Provincial Legislature. There must be provision for the Government to fix the proportion of interests to be represented in the Federal Upper House depending upon the proportion of interests represented in the Provincial Legislature.

15. The Landholders must have a special representation of 2 in the Lower Federal House. They have already one representative and if the total number is going to be raised to 300, it must necessarily be at least two.

16. The existing franchise qualification for the Legislative Assembly may be so lowered as to double the present strength of the electorate keeping in mind that there will be large addition of women voters without any such lowering if the principle of giving votes to wives is accepted.

17. The qualification for the Landholders' constituency may be the same as the qualification for the Landholders' constituency in the Provincial Council.

18. We are definitely against indirect election to the Federal Lower House. There will be a considerable lessening of the area of each constituency because of the proposed increase in the number of seats.

The Kumara Raja of VENKATAGIRI } Representing the Madras
Mr. R. RAMAKRISHNA RAO } Landholders' Association.

1. *The Chairman:* Kumara Raja Sahib, you represent the Landholders' Association of Madras?—Yes, Your Lordship.

2. How many members are there of your association?—About one hundred.

3. What proportion of acreage or area in the Presidency do they represent?—One-fifth of the cultivated area of this province.

4. This extent is owned by your hundred members or by all the landholders as a whole?—By the landholders as a whole.

5. Is not the remaining four-fifths held by the landholders under ryotwari tenure?—It is owned by landholders holding it under ryotwari and other tenures.

6. *Mr. S. Muthiah Mudaliyar:* You include the janmis in Malabar?—The janmis are included in the one-fifth.

7. *The Chairman:* What is the qualification for the landholders' electorate to-day?—It is Rs. 3,000.

8. And you want it to be reduced to Rs. 2,000?—Yes, that is the recommendation of the Association.

9. Now I understand that landholders have six seats in the existing Council, is that so?—Yes.

10. They are elected by reason of the fact that they pay Rs. 3,000?—Whoever gets an income of Rs. 3,000 in estates to which the provisions of the Madras Estates Land Act apply.

11. The individual landholder has an individual vote?—Yes.

12. Is the province divided into six constituencies?—Yes, into six divisions.

13. You propose that in the new Council you should have 12 seats?—Yes.

14. Why do you propose an increase in your proportionate number? You have got six seats in a Council of 132; and you want 12 out of 200.—It is almost the same ratio.

15. It is not almost the same.—We arrived at that figure after deducting the officials and nominated members. We based it on the elected strength of the Council, which is 98.

16. I see that landholders want that depressed classes should have separate electorates and reservation of seats. Is that your view?—Yes, Your Lordship.

17. You strongly advocate an Upper House?—It has been one of our important demands.

18. You recommend that the qualification for that should be the same as that for the Council of State to-day?—Yes.

19. You know how many Council of State voters there are at present in the province?—About 3,200, I think.

20. On a very high qualification?—Yes.

21. Your proposal is that people with the same qualifications should elect members of the Upper House from this province?—Yes.

22. And when you say that the landholders should have special representation in the lower Federal House you mean the landholders in Madras province or in India?—Landholders belonging to this province.

23. Have the landholders of Madras one vote for representation in the existing Assembly?—Yes.

24. *Sir Zulfiqar Ali Khan:* Does the inheritance go to the eldest son among you?—Not in all cases, but in cases where estates are impartible. There is a special Act which is applicable to certain estates and in those cases the law of primogeniture applies.

25. Does your membership comprise all the landholders in the province or are there more who are not members of your association?—There are many more.

26. How many do you think they would be approximately?—They would be one thousand taking the lowest qualification.

27. You want 12 members for the Provincial Council. How would you elect them?—From constituencies formed almost on the same lines as now, that is from territorial divisions.

28. *Diwan Bahadur Ramaswami Mudaliyar:* At present your association as such has no representation?—No.

29. It is the landholders individually who get into the electoral roll and they vote at these elections?—Yes.

30. All the landholders are divided into territorial groups?—Yes. I may also add that there are two district associations which are affiliated to this association.

1st March, 1932.] The Kumara Raja of VENKATAGIRI & Mr. R. RAMAKRISHNA RAO. [*Continued.*

31. *Khan Bahadur Aziz-ul-Huque:* Do you think there is any difference between the interests of a big landholder who pays Rs. 2,000 and a small landholder who pays, say, Rs. 500 as revenue so far as representation in the Legislature is concerned?—There is in theory no difference.

32. What objection have you if the qualification is lowered so as to enfranchise the landlord who pays, say a moderate amount of Rs. 500 or Rs 200 as land revenue?—It all depends upon what stake he has as a landlord.

33. Therefore can you tell me what is the minimum for him to be considered to have a sufficient stake?—For instance there is a landholder who gets Rs. 500. Our fear is that he will not attach the same importance to things when there are political controversies as a landholder with a substantial income would.

34. Therefore I would like to know the minimum which he should pay to make sure that he will take an interest permanently?—We have already stated that it should be Rs. 2,000. Personally I am prepared to agree to a reduction still further, say, to even Rs. 1,000.

35. Is that the very limit? Can you not bring it down to 500?—In my opinion Rs. 1,000 should be the limit.

36. You are wanting 12 seats. Are you prepared to give one to a lady zamindar?—In this province it may not be possible because most of the ladies, I would say have not set one noble example in giving up the purdah system. It would not be practicable.

37. *Mr. Tambe:* What would be the number covered by the limit of your thousand rupees?—Between 50 to 60 per cent.

38. What is the qualifying test for membership, what class of landlords?—Any one who is on the Electoral roll.

39. Is any landlord eligible in respect of the revenue he pays?—Provided his name is on the roll for the special constituency.

40. So among the large body of landlords, those whose names are not on the special roll are not eligible for membership for the Association?—No.

41. At present you have got 12 members returned by the general electorate?—11 if I remember aright, six by the special and five by general constituencies.

42. Have you any nominated members?—One.

43. Have the Landlords who have come from general electorates and the landlords who have come through the special constituency disagreed on any interests affecting the landlord class?—So far there has been no occasion to disagree because no questions affecting the tenants and landlords has come up before the Council.

44. You are not able to cite any concrete instance of one class of holder against another class?—There has been no occasion so far.

45. What proof have you that a Council, which will recruit landholders in the general electorate, needs landholders returned by a special constituency?—As I have already explained to you, unless there are a certain number of landholders who have been returned by special electorate on certain occasions it may not be possible for any landholder to come in.

46. Again your view is based on the future and not on your experience of the past?—That is so.

47. You say in paragraph 8. "The property qualification alone is a suitable test under the present circumstances". You mean that no educational test apart from property should qualify any one for the vote?—

1st March, 1932.] The Kumara Raja of VENKATAGIRI & Mr. R. RAMAKRISHNA RAO. [*Continued.*

We have just expressed our opinion. Personally speaking, there, can even be a literacy test qualification.

48. Say, in one word, whether you think that an educational test apart from property is not a suitable test?—That is the opinion of the Association.

49. For what reason do you strongly advocate an Upper House?—In order to be a check upon the Lower House.

50. You have advocated a large increase of the special representation of Landholders in the Lower House and you have stated your apprehension. Why do you want more check?—Considering the present programme of certain political parties we are afraid that unless there is a check there may not be safety for certain sections of society and also for interests like ours without a second chamber.

51. You say in paragraph 6 "We are definitely against the group system, for in actual working it will be against democratic principles". Is that in harmony with your demand for a second Chamber?—Well, there are so many other democratic countries that have a second Chamber that we thought it would not be undemocratic.

52. You want democratic principles only where your interests are not involved?—(No answer).

53. *Lord Dufferin:* I think it is your view that if the franchise is extended there would be fewer landlords elected?—That is our view.

54. Do you anticipate any change springing up?—There had been an association started recently. One of its objects being to wipe away the Zamindars, as they put it.

55. Would I be right in saying that the Congress party has helped such organisations and encouraged them in their efforts?—In one or two cases there is definite evidence to that effect.

56. During the last few years is the record of the landholders a good one? Has there been a stake element or a disrupting element?—They are always claiming to be a stabilising element.

57. Have they joined the Congress in any number?—Except for one or two I don't think any have joined.

58. In consequence the Congress in this province is an anti-landlord party?—According to our view they are becoming so.

59. It is for those reasons that you are asking for special representation?—Not merely because the Congress are becoming anti-landlord but because we are afraid that unless we have special representation, we may not even get a forum in the Lower House.

60. What is your record in connection with estates? Are most of the landlords absentee landlords or do more of them live in their estates?—Most claim not to be absentee landlords.

61. If an Upper house is constituted, I see you say there need not be special representation in it?—We don't claim any special representation.

62. Is it the case that you and your landlords are insufficient in numbers?—No. We are confident that if people are returned by a constituency of people with large stakes in the country and of men of ripe experience, our interests will be safe in their hands.

63. Beyond that whom do you expect will be returned to the Upper House?—Every ryotwari landholder, people with large stakes in the country and experience, retired government servants, and title holders.

64. *Dr. Ambedkar:* Why have you fixed the franchise for Zemindars at Rs. 2,000 and Rs. 1,500 for the jenmies?—That is the present qualification.

1st March, 1932.] The Kumara Raja of VENKATAGIRI & Mr. R. RAMAKRISHNA RAO. [*Continued.*

65. Why have you fixed it at that figure and not higher or lower?—There are a sufficient number on the rolls and therefore we feel that there need not be any reduction.

66. Is it your view that a man paying less than Rs. 2,000 is not to be called a landlord?—Not paying, earning.

67. Why do you fix that limit for enfranchisement?—Because there are a sufficient number of jenmies.

68. Landlords for electoral purposes are divided into territorial constituencies. Will you tell me the number of landlord voters in each constituency?

69. *Diwan Bahadur Ramaswami Mudaliyar:* They are divided into 5 constituencies: I believe there are 45 in one constituency and the maximum is 100. In addition to that there is a sixth constituency which contains about 262.

70. *Dr. Ambedkar:* You have no fear of any corruption in this small constituency?—No.

71. You claim 12 seats in the new Legislature. Do you know that the Provincial Franchise Committee also give you 12 seats?—Yes.

72. Do you know that the Madras Government also recommends 12 seats for the landholders?—So I have heard.

73. Would it be unfair to say that if all these proposals are accepted *in toto*, it would be due to the fact that you exercise a large influence?—It is because they consider it fair.

74. *Mr. Ramaswami Ayyar:* The representation of landholders is needed because it will safeguard a suitable element. Is that the idea?—It will safeguard our special interests.

75. Do you know if there is a seat awarded to the ryotwari holders in the present Council?—There was.

76. Not because of any special interest?—I don't object to their getting a seat.

77. *Mr. Butler:* Why do you think the group system would not be workable?—The Association think that if the group system is adopted the village official will be the man who will greatly influence the election. The village will be the constituency for electing secondaries and it will be entirely in the hands of the village official. In this country the village official is most influential and he will decide the election.

78. Are there not other persons who have greater influence?—In most villages it will be the village official who is the most influential. There may be a few others who are not village officers who are more influential.

79. In some cases may it not be the landlord?—It may be the landholder. If one is a small landholder he will be living in the village and as such he can exercise his influence with greater effect but most landholders are big landholders and they will be living in one village. They own many villages and the influence will be with the official rather than with the landholder.

80. *Mrs. Subbarayan:* In the South Central landlord constituency there were 43 men and 5 women and all the 5 women voted and for the Southern landlords constituency there were 82 men and 9 women and 8 women voted. Do you think that this shows that if the voting strength of women is sufficiently increased as to make it a powerful factor the candidates will see that women record their votes?—Yes, even though it is a small number they attach as much importance to women's votes as they do to that of the men. Certainly if the number is increased, women's influence will also be greater.

1st March, 1932.] The Kumara Raja of VENKATAGIRI & Mr. R. RAMAKRISHNA RAO. [*Continued.*

81. At present you have the postal voting system. Does your Association intend to retain that system or would it prefer the ordinary way?—We are in favour of retaining it because some of the ladies are *gasha* ladies and for that reason it would be desirable to retain it.

82. Even if separate polling booths are arranged for women?—Some purdah ladies are so conservative that they do not even like to go and record their votes.

83. *The Hon'ble Mary Pickford:* Supposing women were not elected in the ordinary way, can you tell me if your Association would be in favour of some system of securing women representation?—Certainly, it will be very essential that there should be some lady members. I am entirely in favour of it.

84. Have you thought of any system for securing a small number of women, whether it be by co-option, or special electorates or by any other means?—I think it may be left to the Government on the advice of the Minister to nominate ladies when they are not returned by the constituency, if no reservation is made for ladies from recognised associations.

85. *Sir Sunder Singh Majithia:* Am I to understand that Rs. 3,000 is the income of the landlord?—Income, yes.

86. And what is the Government revenue on that?—It varies. It is one-third of the gross income.

87. I think for your constituency that would be Rs. 750. Would you prefer that to be the qualification for your constituency?—I thought Rs. 1,000 should be the minimum.

88. Would you not go below Rs. 1,000?—I cannot commit myself.

89. Will you kindly tell me on the basis of your recommendation of Rs 1,000 what would be the number of voters in your constituency?—It will be increased by about three times.

90. *Zamindar of Mirzapuram:* I take it that your figure of 12 has been arrived at after deducting the officials?—Yes.

91. In your present Council there is a Zamindar nominated for the Agency tracts?—Yes.

92. Supposing a landholder is returned by the general constituency, do you think that he would safeguard the interests of the landholders?—I believe, I have already explained that.

93. He cannot?—Under certain circumstances he cannot.

94. *Mr. Muthiah Mudaliyar:* You said that you wanted the Upper House as a check on the Lower House. How do you think that it will be a check on the Lower House?—That is what it is expected to be.

95. Because the people will come to the Upper House from quite a different class?—Those who will be returned for the Upper House will be those who will have a large stake in the country. They will also be men of experience and education, I mean, distinguished men. They can be expected not to allow themselves to be taken away by any radical programmes.

96. You mean, the class of people who will come to the Upper House will be of that character?—Yes.

97. Do you think that in the Lower House there will not be men of that stamp? Some of those men will come to the Lower House also?—We are afraid that since there will be an almost feverish desire to capture political power, some of the parties may try to vie with each other to place before the country as radical a programme as possible. Men possessing the qualifications I have mentioned cannot afford to subscribe to such radical programmes.

98. That is so. What I am asking you is whether people of that class **will not be able to come in the Lower House?—I can't make such a definite statement, but it may not be possible for them to come in appreciable numbers.**

99. Don't you think it is desirable that people who have a large stake in the country should try to come in the Lower House?—It should be the **desire of everyone to get into the Lower House, but we are afraid of the other possibility.**

100. But if so large a number of people as you propose come in the **Upper House, there will be a very small number left for the Lower House?—There is sufficient material to be distributed between the two houses.**

101. According to your qualification there are only 3,000 people on the **electoral roll. According to the qualification you suggest, out of these** 3,000 about 100 will go to the Upper House. How many will be able to go to the Lower House?—There are 2,900 left.

102. Don't you think that the people who wish to enter the legislature **should go into the Lower House?—Wish is different from practical achievement.**

103. Anyhow if these people have a chance don't you think that it is **better for them to enter the Lower House and have a stable Lower House?—Provided it is possible it will be most ideal.**

104. *Mr. James:* I take it that you assume that there will be a gradual **if not a rapid increase in the franchise in the future and that being so** there will be an increase in the number of the members of the legislature. **Is not that fact one of the reasons which urges you to recommend a second chamber for Madras?—That is also one of the reasons.**

Memorandum submitted by the SOUTH INDIAN RAILWAY EMPLOYEES' ASSOCIATION, Trichinopoly.

There is no doubt that a far larger representation should be given in the Legislatures, both Central and Provincial, to Labour than is now given. Of late years labour organisations have come to the forefront and the voice of labour is being increasingly felt in all the walks of public life. But, when seeking to give adequate representation to organised labour, it must be remembered that this privilege should not be accorded to persons who are not in a position to use their vote sensibly and with a full realisation of their responsibilities.

The vote should be given to all classes of workers, physical as well as intellectual. What I mean is that the clerical staff in Railways, Municipalities and other business corporations, who are banded as Trade Unions should be given the right to vote for this special constituency. I would go to the extent of conferring franchise even to trade unions consisting of teachers in Governmental and public-managed schools, provided they form themselves into a combination with the object of bettering their conditions of life.

I do not think it is proper to discriminate between various groups of Labour organisations. There are several such groups, like agricultural labour, plantation labour, factory labour, transport labour and so on. It is neither possible nor desirable in the present state of things to give representations to such groups. The best method will be to give in the first instance the franchise to those who have deserved one and who are in a position to assess its value. For instance, if representation is accorded to agricultural labourers whose knowledge of labour conditions is generally limited to their local

Memorandum by the SOUTH INDIAN RAILWAY EMPLOYERS' ASSOCIATION, Trichinopoly. [*Continued.*

wants and grievances and whose ideas of constitution-working leave much to be desired, it is quite likely that the said right will be misused. Hence, I think, that franchise should be limited to trade unions which are registered as such. They must have been in existence for a certain time prior to the preparation of the electoral roll. They must have a minimum membership and they must have been registered under the Trade Union Act. If the agricultural labourers form themselves into a trade union, in that case they may be said to have developed sufficient civic consciousness and may be expected to use their vote with a sense of responsibility. The growth of civic consciousness in agricultural labourers will be a matter of gradual evolution.

Neither the idea of giving a vote to every individual labourer nor that of according franchise to any artificial group of a small number of men as in the case of group-voting commend themselves to me. In the first case, votes can be easily obtained on false representations. The present poverty-striken and ignorant condition of labourers will open wide the doors for corruption. This evil can be eliminated to a large extent in case votes are given to trade unions.

Again as among trade unions, the number of votes should be based on their strength. A trade union having some thousands of members on its rolls should have a proportionally larger representation than one having only a few hundreds of members.

The Province should be divided into as many divisions as there are seats allotted to Labour, keeping in mind the equidistribution of votes in each area. For instance, Madras with its Railway Workshops and mills will form the headquarters of one division while Trichinopoly, being the headquarters of probably the largest employer in South India (the South Indian Railway Company), will form the headquarters of another division and so on.

In the case of Railways as well as other big corporations whose workmen scattered over several districts form one trade union, the said trade union should be held to belong to that district where the headquarters are situated.

MADRAS.

Dated 2nd March, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, AND OF THE MADRAS PROVINCIAL FRANCHISE COMMITTEE.

Mr. K. R. AVADHANI, B.A., B.L., representing the South Indian Railway Employees' Association.

1. *The Chairman:* You are, I understand, the President of the South Indian Railway Employees' Association?—Yes.

2. Is that a Trades Union?—Yes.

3. Can you tell me what is your membership?—About a thousand strong.

4. I understand that there is a Railway union in Madras which has a membership of about 26,000?—I am not quite sure of the membership of the Madras and Southern Mahratta Railway Union.

5. That is a different union?—Yes. That is the Madras and Southern Mahratta Railway Union.

6. You propose that labour should be represented through the trade unions. Is that correct?—If it is impossible to give adult franchise, I would submit that labour must have special representation.

7. Apart from the general question of representation, you know that employers, the capitalists, want certain seats allotted to them in the Council. The Chamber of Commerce, the Planters and other employers want representation. There is a proposal that labour should be given special representation as a special interest quite apart from representation in the ordinary way. In such a case, how would you elect those special labour representatives? There are two proposals. One is the proposal of the Whitley Commission that the trade unions should be the constituency provided those trade unions are properly organised and registered and have reached a certain stage of development. The other proposal is that employees themselves drawing over Rs. 15 a month should be formed into a special constituency to elect their own member. Which would you prefer out of those two methods?—Do you mean that in the latter case every employee is to cast his individual vote?

8. Yes, individually?—Then certainly I prefer giving an individual vote to every employee.

9. Rather than having representation through the trade unions themselves?—Yes.

10. *Mr. Bakhale:* Did you get a copy of the questionnaire of the Indian Franchise Committee?—I did not.

11. Did your union get a copy of the questionnaire of the Indian Franchise Committee through the Government of Madras?—No.

12. Then how is it that you have sent a memorandum?—I got access to it through the daily papers and I wrote the answers.

13. Is your union registered?—Yes.

14. Do you think that under the present circumstances it would be better from the point of view of labour interests being properly represented

on the legislatures that trade unions should be given the right to select representatives for the legislature?—That is only an alternative. If it is not possible to give the franchise to every individual labourer, then it is preferable to have the vote by means of the trade unions.

15. You mean that in case adult franchise is not possible at the present moment, you would prefer trade unions being made the units?—Quite so.

16. And electing representatives on behalf of labour to the legislatures?—Yes.

17. *Major Milner:* Your trade union is duly registered?—Yes.

18. Does it carry on the ordinary, proper and usual work of a trade union as understood in England?—Yes.

19. Do you protect your employees against victimisation by the employer and provide benefits?—We represent the grievances of individual members and protect them from victimisation.

20. Have you appointed properly elected officials?—We hold annual elections.

21. The whole thing is done constitutionally?—We have annual conferences at which we elect office bearers for the ensuing year.

22. *Lord Dufferin:* You talk about poverty among labourers. Do you agree that indebtedness is one of the greatest evils and particularly among the railway workers?—You are quite right.

23. Have you heard of the Jackson Co-operative Society?—The railway company itself runs a co-operative society.

24. You yourselves as a union do not help in any way to run that co-operative society?—We are not yet strong enough to run that.

25. *Sir Ernest Bennett:* You take an annual subscription from your members?—Yes.

26. How much is that?—A rupee a year.

27. Is it paid?—Those who don't pay are turned out.

28. Your membership is 1,000. How is that a very small proportion of employees have joined the association?—The South Indian Railway Employees' Union consists of clerks, upper subordinates, station workers, porters, gangmen and so forth. We exclude from our membership 5,000 workers in the workshops at Golden Rock. They have got a labour union of their own. Again the small number of members of our Association can be explained like this. We are not sufficiently encouraged by the railway authorities. For holding our conferences if we ask for the Railway Institute, which is given to all and sundry for any public function, we are refused. The Railway Employees Association is taboo. They won't permit us to hold our meeting. When our annual conference was held, I requested the Agent to preside at our Conference. He refused. He refuses to countenance our association except at a distance—by correspondence.

29. Have you got any Central organization?—Among the transport workers there is.

30. As we have in England the Trade Union Conference?—There is the Trade Union Congress in India. There is the All-India Railwaymen's Federation which counts on its rolls 150,000 railway workers.

31. You are affiliated to that?—We are not affiliated to it.

32. You advocate that the clerks should have a chance to vote. Are there any unions of the clerical staff of the railways?—They are in this union.

33. *The Hon'ble Mary Pickford:* You said in answer to Major Milner that your trade union gave benefits to its members. Could you tell me

what benefits they are? What benefits do you have in your Union?—It is not possible to give any financial benefits. At present we are financially very poor, but we are doing all that we can. We make representations about individual grievances among our members. We fight out cases with the employers. We represented the cases of about a dozen people before the Railway Court of Enquiry, regularly examined witnesses and so forth and we send deputations to the employers for the purpose of rectifying several wrongs from which the employees suffer, for instance, the leave rules, pass privileges and so forth.

34. When you said in answer to Major Milner that you paid benefits, it was a misunderstanding?—It was a misunderstanding. We don't pay anything.

35. *Sir Sunder Singh Majithia:* When you are giving the vote to the Union, do you mean to say that you would treat the union as one unit or bring all the members of that union on the list of voters?—That is why I asked before answering the question put by the Chairman, is every individual worker to have a vote. If that is so, I prefer that. Otherwise let one vote be given to every trade union consisting of a certain number of members. If a particular union exceeds that number, they will have additional votes.

36. Then don't you think that bigger unions will swamp out the smaller ones?—I think they are entitled to.

37. You don't want to give any protection to the minorities?—There must be some protection for the minorities. But, I don't think that among the workers there is going to be any problem about anybody swamping out the other.

38. If you go on the basis of numbers some will have no chance and will be left out?—I don't think there is any reason to think that. For instance, the South Indian Railway has 40,000 employees. Suppose all of them join in one union they will have, say, 40 votes. There will be 200 other unions, the *jhatkawalas* union, the scavengers' union, the cleaners' union and so forth. They will not swamp out this big association. There is no fear of that kind.

39. *Mr. Muthiah Mudaliyar:* In the second paragraph of your memorandum you say " the vote should be given to all classes of workers, physical as well as intellectual. What I mean is that the clerical staff in Railways, Municipalities and other business corporations, who are banded as Trade Unions should be given the right to vote for this special constituency ". What is the justification for giving the vote to clerks in those departments only and not to others?—Others are not excluded. I gave a few instances of wage-earners.

40. You say, vote should be given to all intellectual workers or physical labourers. That is your idea of the labour union?—The intellectual workers come under the heading of wage-earners.

41. I dare say then that almost every man who is not an idler and is earning his livelihood in some way will come in that category?—I don't think so.

42. *Mr. Ramaswami Ayyar:* In answer to a suggestion that if there is a big union it is likely to swamp out the smaller unions you said that it is entitled to do so. If there is a fear that smaller unions are likely to be swamped out and they want to safeguard their rights, are you prepared to modify your scheme by accepting that there should be a maximum number of votes for any union, say, 10, even if it consists of 10,000 or 20,000 members?—But I modified my answer by saying that there is no possibility of anyone being swamped out by others.

43. *Mr. Basudev:* The proposal made by the Provincial Franchise Committee is to bring on the electoral roll only those workers who get Rs. 15 and are working in a factory as defined under the Factories Act. In view of the fact that your union does not consist of any factory workers what would you do if the other proposal for giving the vote to the trade unions is not accepted? What will be your proposal to enfranchise the clerical staff?—They will come under the heading of wage-earners who are entitled to have a vote.

44. Do the clerks in your opinion, have any vote independently as residents of the city?—For the municipalities some of them might have. Most of them have not got a vote for the Legislative Council.

45. Where do they live? Are they tenants in the houses?—Quite a lot of them live in the suburban areas.

46. Are they tenants-in-chief?—Most of them are sub-tenants.

47. Would you like the proposal of giving a vote to the sub-tenants. A man may pay Rs. 10 and will get a vote if he is a tenant, but he will not get it even if he pays Rs. 20 as a sub-tenant. Don't you think that proposal will help you?—In case there is no proposal to give a vote to the wage-earners, we would like to get in through that door.

48. *Sir Ernest Bennett:* I just want to make one point clear. You say that you are neither in favour of giving the vote to every individual labourer nor to any group of men. You later on say that the poverty-stricken and ignorant condition of the labourers will open wide the doors for corruption. Are you really prepared to wait till all the people get into trade unions and meanwhile leave them without any representation? Would you not group them and give them a vote?—With your permission, I submit that that statement is not quite correct. After I sent in that answer, I have gone through, in detail, the report of the Indian Statutory Commission and I am now prepared to say that that is not quite correct. The Report of the Indian Statutory Commission says—and certainly their view is much weightier than my humble opinion—that all that an Indian voter understands is this, that when he casts his vote he is helping somebody to do some important work at the headquarters. I don't know if it is necessary for him to know anything more.

49. The only salvation for these people is to give votes to trade unions. That is what you say. You must realise that prospective trade unions will not cover anything more than a fraction of the workers?—You are quite right.

50. In the meantime, you will not necessarily turn down the idea of the group system which will help these people?—That is why I suggested that if it is not possible to give votes to every individual worker, we would like to have it for trade unions.

Memorandum submitted by Diwan Bahadur M. RAMACHANDRA RAO.

I do not propose to answer every question *seriatim* in the questionnaire or cover the whole ground indicated therein. Some of the proposals of the Madras Provincial Franchise Committee and of the Madras Government appeared in the Press from time to time and I had now the benefit of reading their memoranda on the subject of franchise. I shall confine myself to some of the points arising therefrom.

2. The first point to which I should like to refer is the extension of franchise in regard to the provincial legislature. I am in general agreement with the proposals made by the Provincial Franchise Committee and agreed

Memorandum by Diwan Bahadur M. RAMACHANDRA RAO. [*Continued.*

to by the Madras Government under which it is proposed to extend the franchise to 23 per cent. of the adult population of this Presidency. The franchise now proposed for the legislative council is more or less the same as the franchise adopted for elections to local bodies and it is not possible to go any further in this respect at the present stage. I also generally agree to the qualifications for franchise proposed by the Committee. I am however unable to share the views of the Committee in regard to their observations and recommendations for qualifications based on education independently of property. The majority of the committee propose that the possession of a completed Secondary School Leaving Certificate should be a qualification for men and they recommend for women ability to read and write in any language. I do not understand the reasons for making this difference between men and women in regard to literary qualifications. In making this recommendation, the committee have entirely ignored literacy in the vernaculars of the country as a qualifying test. Most of the literates in this Province are literates only in the vernaculars, and I am unable to agree to the proposition that a man with a completed Secondary School Leaving Certificate is a much more competent man for electoral purposes than a man who has passed the highest test in the vernaculars of this province or the classical languages of India like Urdu and Sanskrit. The Committee observe "that it does not consider it desirable to flood the electorates with a low standard of general education who have no property or tax qualification". This observation is somewhat surprising, when we bear in mind that the large majority of those who will come in as electors under the very low property and tax qualifications proposed by the Committee will be altogether illiterate. I think, therefore, that literacy either in the vernaculars or classical languages should be recognised as a qualification to be brought on the electoral roll.

GROUP SYSTEM.

3. I also agree generally with the views of the provincial Franchise Committee on the unpracticability of the group system of representation. I am not aware of the exact proposals made as to how the groups are to be constituted, but it seems to me that whatever methods are adopted, it is very difficult to satisfactorily organise these groups of primary voters and also of secondary voters throughout the presidency for the elections to the Legislative Council. Our population in the villages is not homogeneous and any attempt to group them for this purpose will lead to the inevitable tendency of further stereotyping the village into so many communal groups. In my opinion any new electoral machinery which will further strengthen the communal feeling ought to be avoided. Any artificial system of grouping will not work in practice. Apart from these grounds, the preparation and maintenance of electoral rolls for primary and secondary voters and their revision at stated periods on account of the death of the primary and secondary voters and other similar causes will involve a tremendous volume of continuous work and will cause inordinate delays in the preparation of the rolls.

DEPRESSED CLASSES.

4. I am opposed to the creation of separate electorates for the representation of the depressed classes as recommended by the Madras Franchise Committee and the Government of Madras. The arguments on either side have been so often stated that it is unnecessary to refer to them at any great length. The depressed classes are part of the Hindu community and in present circumstances there is no doubt that they need special protection, but I am of opinion that protection should be given by reservation in the non-Muhammadan rural constituencies rather than by separate electorates. The question was fully discussed in para. 79 of the Indian Statutory Commission's Report, Volume 2, and I generally agree with the views set

out there. I believe that separate electorates for the depressed classes will militate against the process of helping those who are depressed to rise in the social and economic scale. The removal of untouchability in this province is going on with increasing rapidity and any proposals for constituting the depressed classes into a separate electorate will materially retard this process. The Franchise Committee and the Madras Government themselves seem to be alive to the importance of keeping the depressed classes within the fold of the Hindu community and they have put forward a proposal that in addition to separate electorates, the depressed classes should be permitted also to vote in the general non-Muhammadan constituencies till such time when separate electorates can be abolished. They expressed the hope that in course of time, the separate electorates would disappear. I do not at all share this hope. Experience has shown that once separate electorates are created, it is exceedingly difficult to get rid of them. Once they are established, as in the case of Muslims and the Indian Christians some section of the depressed classes will always object to the abolition of the separate electorates. I therefore, feel that the best way of dealing with the problem is by reservation and not by the creation of separate electorates. The argument that the depressed classes should be represented by their own men, would if logically applied to other sections of the Hindu community, mean that the Kapus should be represented only by a Kapu, and that a Kamma should be represented only by a Kamma and a Vellala only by a Vellala and a Brahmin only by a Brahmin and so on. If the claim of some members of the depressed classes for separate electorates is conceded it is difficult to resist such a claim by any other section of the Hindu community. Opinion among the depressed classes in favour of reservation of seats in joint electorates has been growing in volume and this cannot be overlooked.

DEPRESSED CLASSES AND LOCAL BODIES.

5. There is also another important reason. So far as this Presidency is concerned, a scheme of representation in local bodies by reservation for the depressed classes, Muslims, the Indian Christians, and women in multi-member constituencies has been agreed to after considerable discussion in the Legislative Council. All the communities concerned took part in these discussions and have acquiesced in this arrangement. Under this scheme, the representatives of depressed classes are returned to local bodies such as the Taluk Boards, District Boards, Municipalities and village panchayats by the general vote of the community as a whole including Muslims, and Christians. The introduction of a different system of separate electorates is not only undesirable but it may lead to an agitation for separate electorates for depressed classes in the local bodies also. I do not see any ground for adopting a different system in regard to the Legislative Council. This arrangement should, therefore be adopted also in regard to the representation of the depressed classes in the Local Legislature. I do not see any difficulty in the reservation of seats in the Local Legislature for the depressed classes in the manner in which such reservation has been made for them in the local bodies. I understand, that there is a fear that if a reservation is made in a general constituency for the depressed classes, the present elected members would be at the mercy of the caste Hindu majority and that a true representative of the depressed classes will not be returned. I feel that this fear is very much exaggerated. But if it is desired that a representative of the depressed classes should be returned by a substantial number of the member of depressed classes in a general constituency, I think the scheme put forward by Rao Bahadur N. Gopalaswami Iyengar and Mr. Ramunni Menon in their note appended to the report of the Franchise Committee will achieve this purpose. It is desirable that that scheme should be tried. Under all these circumstances, I cannot support the scheme for representation through separate electorates for the depressed

classes. As regards the number of seats allotted to the depressed classes, I agree that they should have 25 seats if they are to come in by reservation. This will give one seat for the depressed classes in each district and if they come in by reservation that seat can be added to one of the constituencies in the district. For this reason I would agree to this proposal though I feel that there is something to be said for the view taken by the Government for reducing the seats to 18.

REPRESENTATION OF WOMEN IN THE LEGISLATIVE COUNCIL.

6. The proposal of the Franchise Committee to reserve seats in Urban areas is, in my opinion, a more suitable method of securing representation of women in the Legislative Council than the one suggested by the Government of Madras. In some of the large towns, there is an enlightened public opinion that there are also Women's Associations doing active social work. It seems to me, that the election conducted in urban areas is likely to produce women candidates who will take an intelligent interest in public affairs. I would, therefore, suggest that a definite number of seats should be reserved for women in urban areas, but that no impediments be placed in case a woman candidate desires to stand for any non-Muhammadan rural constituency should she be disposed to do so.

REPRESENTATION OF LABOUR.

7. I am not satisfied with the recommendations of the Franchise Committee and the Madras Government in regard to the representation of labour. There is no reason whatever for ignoring the recommendations of so authoritative a body as the Whitley Commission in regard to the method of labour representation in the Legislative Councils. The Commission has recommended that the representation of Industrial Labour should be secured through registered Trade Unions subject to certain safeguards. I recommend that this proposal should receive serious consideration. The number suggested by the Franchise Committee is perhaps too small to cover so wide an area.

UNIVERSITIES.

8. The proposal for the representation of the Universities in the legislature is inadequate. Provision has been made for only one representative for all the three Universities in the Province. I suggest that the three Universities, the Madras University, the Andhra University, and the Annamalai University should have separate representation. Each of them have their own problems and it is better to make adequate provision for the representation of all of them. Sometimes in allotment of public funds their interests are mutually conflicting and one member cannot faithfully look after the interest of all the three Universities. The graduates of the University of certain standing now elect the representative of the University and the University maintains a roll for this purpose. Those whose names are on this roll are entitled to stand for election. The Provincial Franchise Committee propose that the candidates for the University seat may be on the roll of any electorate, general or special. The Madras Government do not approve of this proposal and suggest that the candidate should be a member or *ex*-member of the Senate. No reasons have been assigned for deviating from the present rules. The graduates of the University are presumably men who have some interest in University affairs and under the proposals of the committee anybody from a labour constituency will be entitled to stand. This is not desirable. The proposal of the Government on the other hand, unduly restricts the field of choice.

Memorandum by Diwan Bahadur M. Ramachandra Rao. [*Continued.*

Option to Individual Voters.

9. I should also like to bring to the notice of the Committee the fact that both in the Muslim Community and also in the Indian Christian Community where separate Communal electorates now exist there are individuals in these communities who are unwilling to stand for election in communal electorates or to exercise their vote in such an electorate. They do not want to be regarded as the advocates of separate communal claims apart from the general interests of the community as a whole. At the present time every Muslim whatever his political opinion, has to be brought on the separate electoral roll for the Muslims and the Indian Christians, and if he wishes to exercise his vote, he has necessarily to enlist himself in that electorate. I suggest that if they have the necessary qualifications any Muslim or Indian Christian should be permitted to register his name in the general constituency and that he should be permitted to stand for election and vote for that constituency and to have his name removed from the separate roll of the community. This option ought to be given to them.

Multi-member Constituencies.

10. I shall now refer to the proposals of the committee relating to non-Muhammadan rural constituencies in this province. Under the present system each of the districts is now an electoral unit and the number of members returned by each district varies from two to four and the total number of members returned by these constituencies is 56. The present system, therefore, is a scheme of multi-member constituencies where the successful candidate is returned by a relative majority. Under the scheme put forward by the Provincial Franchise Committee, this number is raised to 124. Neither the memorandum of the Provincial Franchise Committee nor that of the Government contain details of the distribution of this number among the districts or the proposals for the re-distribution of electoral areas. But I gather from the remarks made in the memorandum of the Madras Government that it is proposed to create single member constituencies for each division or portion of a division in a district. I am of opinion that the present system of multi-member constituencies is deserving of retention and I am altogether opposed to the creation of single member constituencies. The advantages of multi-member constituencies have been referred to in the memorandum submitted to the Committee by the Proportional Representation Society and I agree with some of the reasons put forward in that memorandum. There are various forms of minority and proportional representation systems in Europe, some of which deserve consideration. The single member constituencies has been introduced in England only in 1885 and till then the constituencies returned more than one member.

The Royal Commission's views.

In examining the electoral system in England in 1910, the Royal Commission on Electoral Systems observed " that a single member system claims at most to secure, by the laws of average and probability, a rough indication of the relative strength of parties of comparable size, and to provide for small parties, interests and pursuits the widest possible range of opportunity of obtaining a hearing in Parliament. Without some such provision as the Alternative Vote it breaks down if more than two large parties are in the field. It does not profess to assure representation to minorities, to give an absolutely accurate result, or to represent all parties, groups and interests in proportion to their strength ". These observations have, I venture to think, been fully justified by experience. I do not wish to refer to the various methods proposed in other countries to secure a fair representation of all interests and shades of political opinion and I am of opinion

that the creation of single-member constituencies in this country consisting of different races, castes, sub-castes and different shades of political opinion which must necessarily exist in any country and different political parties with different political and social programmes, is an unsuitable method of securing a proper representation of the various elements in the population and for securing the representation of various shades of political opinion in the Legislature. I therefore, suggest that the re-distribution of seats should provide for the creation of three member constituencies as far as possible giving option to the voter to vote only for two candidates. I am also of opinion that the creation of single member constituencies is undesirable for another weighty reason. Our aim should be and is to facilitate the abolition of the existing communal electorates (if they are continued) sometime or other and to secure representation of those communities by reservation. On the assumption that Muslims and Indian Christians will not come into joint electorates immediately and that separate electorates will have to be provided for them, the ideal, nevertheless to be aimed at should be multi-member constituencies where reservation could be made at some future time. The creation of single member constituencies here and now will militate against this idea, and once they are introduced, it will be exceedingly difficult to secure their abolition should they be found unsuitable later on. But the retention of the present system of multi-member constituencies will not prevent their being broken up later into single member constituencies if it is found later that such a step is desirable. On this ground also I suggest that the present system should be retained.

SIZE OF THE CONSTITUENCIES.

11. The creation of multi-member constituencies naturally raises the question of the size of the constituencies. As I have already stated, the district is now the unit in non-Muhammadan rural constituencies. An argument might be advanced that the creation of multi-member constituencies might embarrass candidates on account of the size of the electoral area. With the increase in the number of seats, I am of opinion that a three member constituency under the new arrangements will not be more than half the size of the present constituencies. Instead of one division, two divisions would form the average three member constituency. I think this will be a great improvement over the existing state of things and will not be too unwieldy an area for election purposes. Moreover in separate communal constituencies for the Muslims, Indian Christians, and for the depressed classes (if separate constituencies are resolved upon) the candidate will have to cover more than one district. If this could be tolerated, I do not see why the area that may be allotted to a three member constituency should be regarded as too unwieldy.

SECOND CHAMBERS.

12. The Madras Government as now constituted has recommended the establishment of a Bicameral Legislature in this Province, notwithstanding the fact that a majority of the Provincial Franchise Committee expressed itself against the proposal. I am wholly opposed to the creation of a Bicameral Legislature in the province. The weighty arguments advanced in the Montford Report against the proposal still hold good to-day. The subject of second chambers was fully discussed in the Provincial Constitution Committee of the Round Table Conference and the conclusion reached by a majority was stated in these terms:—

"Second chambers—The existing Provincial Legislatures are unicameral. The sub-Committee recognises that conditions in some Provinces may make

it desirable that the Provincial Legislatures should be bicameral; but the decision to incorporate a second chamber in the new constitution of any province other than Bengal, the United Provinces and Bihar and Orissa where opinion in favour of a second chamber has already been expressed should not be taken until opinion in the Province definitely favours this course." Since this decision was reached, there has been so far as I know no expression of opinion in favour of a second chamber in this province and the majority of the Provincial Franchise Committee which was the only body that considered this matter have expressed themselves against it. The opinion of the Madras Government as now expressed on this matter is not supported by any ascertained. Public opinion in this province, nor was any attempt made on the present occasion to ascertain opinion on this subject. In these circumstances, the subject of a Bicameral Legislature in this Province cannot, in my opinion, now be re-opened for consideration. The whole subject was also considered at the time when the Simon Commission conducted its enquiries and opinion was very much divided on the subject. Some of the members of the commission were in favour of second chambers and others were against their establishment and the respective view points were set out in the report without coming to any definite conclusion (paras. 115 and 116). The Indian Central Committee, was also very much divided on the subject. Two members would have no second chambers, one would have them in all the provinces, and six would make an experiment for 10 years only in the United Provinces. The local Committees associated with the Simon Commission were also very much divided among themselves. Opinions among the local Governments were also equally divided. Five local Governments including the Madras Government were against a Bicameral Legislature in the Provinces and three local Governments (Bengal, United Provinces, and Bombay) favoured the proposal. In all these circumstances, the proposal made by the Madras Government for the establishment of a Bicameral Legislature cannot now be seriously considered and no decision in favour of a second chamber can now be taken by your committee. The consideration of the subject can only be taken up after the new constitution is inaugurated and public opinion in this province favours the establishment of a second chamber. I do not, therefore, think it is necessary to go into this subject in any detail at this stage.

FEDERAL LEGISLATURE.

13. The proposals in regard to Federal Legislature are generally acceptable. In regard to the Federal Lower House, the proposal for the election by territorial constituencies casting their votes directly for the candidates of their choice is acceptable. I have only to add that I suggested at the Round Table Conference that the number of members in the Federal Lower House should not be less than 350 (both for British India and the States) so that each district in British India may have one representative. The number of members for the Federal Lower House for British India suggested by the Federal Structure Committee, namely 200 is insufficient for this purpose. I therefore, suggest that each district in this Presidency should be constituted as a single electoral unit for elections to the Lower Chamber, and so far as it might be necessary the total number may be raised. I also agree to the method of election proposed by the Provincial Franchise Committee and the Government for the Upper Chamber of the Federal Legislature. I agree to the proposal to divide up the Presidency into plural constituencies of more manageable area than at present and also agree to the qualifications for the Federal Legislature proposed by the Provincial Committee.

Diwan Bahadur M. RAMACHANDRA RAO.

1. *The Chairman:* At the outset I must make it clear, Diwan Bahadur that this Committee is not going to express any opinion on the communal question.

2. You see disadvantages in the system of separate electorates?—I do.

3. As perpetuating divisions?—Yes.

4. You say it is very difficult, even with separate electorates, to secure any kind of representation to the minority communities in single-member constituencies. Therefore you put forward the system of multi-member constituencies. You think that such constituencies will make it possible, on the one hand, to secure representation to minorities other than the communal minorities and, on the other hand, to keep alive the possibility of altering the system at some future date?—That is my point.

5. We will now discuss what should be done now. Will you develop that answer and the question about the multi-member constituencies?—My first point, Mr. Chairman, is that under any system of single-member constituencies there are possibilities of minority opinion and minority representation being entirely overlooked. As you are aware, in England, where there is a three-party system, the single-member constituencies do not faithfully represent the opinion of the constituents. There are no opportunities for the representation of minority opinion in any system of single-membered constituencies and therefore, even apart from finding representation for those who enjoy separate electorates, I feel that the existing system in this Presidency of having two or three or four members for each constituency or district should be maintained. This is apart from the question of absorbing the members of the separate electorates which will come in the future. But that is an additional reason why it should be maintained.

6. As regards the size of a constituency, at present a district is roughly taken as a constituency. Under the arrangement that I propose, namely, the return of three members, one voter has only the choice of two votes. I believe that you can certainly create constituencies consisting of half the size of the present constituencies. I do not think that would be unmanageable from the point of view of electoral arrangements or even from the point of view of canvassing and making satisfactory arrangements for going about. Under the present state of things, I think half the district would be a great improvement and, even if you might form smaller constituencies later on, it seems to me that for the reasons put forward here, the abolition of the plural constituencies in this province would have very serious consequences.

7. You propose that in a three-member constituency each voter should have two votes. Can he cast them for the same person?—No, for two candidates. That was the system in England from 1867 to 1885 till the system of single-member constituencies was introduced. In those days when there were three-member constituencies only two votes were given to each person and this made it possible for the minorities to combine together to capture at least one seat.

8. Leaving aside the representation of the depressed classes and Mussalmans for the moment as it is outside our terms of reference, are there other minorities in this province which you think should be represented and will be unable to get representation through the single-member constituencies?—Yes. They may not be political minorities. According to the organization of society here, there are castes, and sub-castes in each electoral area who would like to be represented. If a single-membered constituency is constituted, the result will be that the dominant group in that locality will be having the monopoly of the seat for all time to come and the other communities will have no chance of getting a look in.

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These elections have been going on for the last ten years and some kind of adjustment has been found in that way. As regards Madras city which has got 4 seats, there is reservation of two seats for non-Brahmans and the election in the City takes place for all the four seats at the same time. There was a proposal to split it up into two constituencies with reservation of one seat in each group for non-Brahmans and it was opposed here. It was discussed in the Legislative Council and the Government dropped it. That shows clearly that the multi-member constituency has an advantage in securing representation of interests and communities which may not find representation otherwise. That is my main reason for advocating multi-member constituencies.

9. Is there no objection raised to the multi-member constituencies on the ground that they do not secure the representation of the majority? You find that objection raised to it. It is said that while it gives representation of the minorities the majority does not get sufficient representation?—That is why I provide in my scheme that the voter having two votes can give both of them to his own community. For the present, however, I am more inclined to think that the better course would be to allow each community to co-operate with the other in elections. I am against the cumulative vote because it will confine him to only one candidate, whereas if he has two votes he will give one vote for the member of his own community or party and the other vote for somebody else whose co-operation he needs to push his candidature forward. That is why I say two out of three.

10. Then, I understand that you would make ordinary literacy a qualification for women as well as men?—Certainly.

11. You would make literacy in the vernacular also a qualification and not merely in English?—Because the bulk of the people are literate in the vernacular.

12. Can you say what addition to the roll it will give?—I have not worked it out. I have got figures here and I will work them out and hand them over to you.

13. *The Hon'ble Mary Pickford:* You say that you prefer the suggestion made by the Provincial Franchise Committee for reservation of seats to women to that put forward by the Government?—Yes.

14. Have you considered the point that the suggestion of the Provincial Franchise Committee makes it almost impossible for women to stand in any constituency. According to their suggestion women from country districts will be at a great disadvantage in standing for election. It might be that a woman would be well known in her own district and might make a very likely candidate, but not out of her own district?—I do not know if you have noticed what I said. I have stated that a definite number of seats should be reserved for women in urban areas and that no impediment should be placed in case a woman candidate wishes to stand for any non-Muhammadan rural constituency.

15. Of course there would be no impediment for women standing for any constituency?—No.

16. Your proposal gives women in the towns a great advantage over the women in the countryside?—You must remember that many of these associations of women who take an intelligent interest in the local affairs or in the wider affairs of the province and in social matters are in towns and my object in putting forward that proposal and in supporting it is that you will get a much more intelligent candidate from these areas which is a much more important thing also.

17. *Mrs. Subbarayan:* You suggest that a mere literacy qualification will be sufficient for men also. You would not like to have a different qualification for women?—No.

18. I think the Provincial Committee made the difference so as to increase the number of women voters?—Yes.

19. Don't you think that if you have the same literacy qualification for both, the men electorate will be too large and the women electorate small? I am not against lowering the literacy qualification for men. But if there is this difficulty can you suggest some method?—Anyhow under the proposed scheme women will certainly have a definite number of seats.

20. You want also the voting strength of women to be increased?—Any artificial distinction such as that suggested by the Provincial Franchise Committee would not be of much good in my opinion. You must take the facts as they are. If men and women are literate they will get into the electorate and you will have the prescribed number of seats.

21. But the voting strength will be very small and the political education of the masses will be very slow?—Yes; but I still think that there should be no difference.

22. You object to the proposal made by the Statutory Commission regarding the enfranchisement of wives and widows?—I do. It is no good doubling the number by giving two votes practically to the husband or to the wife.

23. *Sir Ernest Bennett:* You are opposed to the idea of the group system? —Yes.

24. You say that there are two main reasons why it is difficult to satisfactorily organise these groups of primary voters in the villages?—Yes.

25. Would your objection be lessened if we took the village as the unit instead of smaller groups of 20 or 30?—I do not think that under any system of grouping you could avoid the difficulties suggested by the Franchise Committee, Madras.

26. If it comes to pass and the group system is adopted, you would prefer the village as a unit rather than the smaller units of 20 or 30?—I am against the system of indirect election.

27. Your second ground is that the preparation of electoral rolls would be a very serious matter?—Yes.

28. You see that the elections to panchayats are held now on a system of adult suffrage?—Yes.

29. And rolls have been prepared there?—Yes.

30. Is the difficulty so insuperable then? The rolls are prepared once in 5 years?—I am rather disposed to think, with the experience that I have of working on local boards and municipalities, that it will be really a most difficult task to do it. A man may agree to be a representative of 20 persons one day and on the next day he might say that he cannot represent them. Then you will have to find a substitute for him. There are very practical difficulties. You cannot deal with the problem in that way.

31. *Sir Muhammad Yakub:* You consider that separate electorates are useless and therefore you propose that those Muslims who want to join the joint electorate should be allowed to go on the joint electorate?—Individually.

32. Individually, and that they should be elected through joint electorates? —Oh, yes. I will also give them an opportunity of transferring themselves from the communal electorate to the joint electorate and also allow them to stand for election. You know Mr. Jinnah very well. He was saying that he hates being in a communal electorate. I know several Indian Christians who do not want to exercise their votes because they have not got the choice of transferring themselves and having their names removed from the separate electorate to the joint electorate.

33. Do you think that there would be any chance for such men to be elected under the present conditions?—It depends upon the esteem in which they are held by the general electorate. I know several worthy Muslims

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who would certainly be supported by the general Hindu community and several Indian Christians also who would be supported similarly. But that is their own look-out. What I am objecting to is the system of tying them down for all time to come to separate communal electorates. That is my point.

34. Then, in order to mitigate this evil, will you also support the suggestion that Muslims should retain their separate electorates for the present, but should be allowed to take part in the joint electorate as a bait? —As a bait, no. It is quite a different proposition. You want to be in both camps and occupy all the seats.

35. It will create confidence in the community and gradually separate electorates would be abolished?—Oh yes. The best way would be, if the Muslims are so inclined to ask for the abolition of separate electorates now only and ask for special privileges like reservation of seats and things like that.

36. But why do you not allow Muslims to have their share in the general electorate so that it may create confidence?—In the Mussalman view this confidence will only come by having twice the number of seats which they would otherwise get.

37. You do not give them a seat in the separate constituency, only the right to vote?—Certainly, I do not stand in the way of anybody who wants to be transferred from the separate electorate to the joint electorate.

38. But would you not allow Muslims to retain temporarily the separate electorates and, in order to mitigate the evil of separate electorates and to create confidence between the two communities, give them also opportunities to mix with the Hindus and vote with them in the joint electorates? —I am prepared to consider such a suggestion provided the Muslims also show their inclination to reduce their separate electorate by 50 per cent. and have for the other 50 per cent. representation in the joint electorates.

39. In that case, Muslims should also have seats in the joint electorates? —It may be.

40. I do not say that they should have seats in joint electorates. I am only saying that they should be allowed to have votes in joint electorates also?—I am prepared to go further and reserve a number of seats for them.

41. But I thought that in order to give the Muslims an opportunity to come into contact with Hindus it would be better if for sometime an opportunity is given to them to join and vote in the separate electorates also?— Yes to the extent of 50 per cent. by joint electorates and the other 50 per cent. by separate electorates.

42. *Mr. Butler:* You want representation for the Universities?—As there are three Universities in this province, I want three seats to be given to them. It would be a great complication to have one representative for all the three universities.

43. Don't you agree that India is a country of great distances?—That is why elections have been going on in this Presidency for the last 10 years under the system of multi-member constituencies. Moreover, with regard to local bodies the great argument in favour of continuing the present system is that in regard to them we have multi-member constituencies for all communities, and special interests. All the three communities are now represented in the local bodies by multi-member constituencies and that is a very important fact. Now, if you have separate electorates hereafter for the Council, it might lead to an agitation that separate electorates should extend lower down. This question has been settled after a considerable amount of discussion in the Legislative Council, acquiesced in by all the communities and embodied in an Act of the legislature.

44. You don't think it is vital that they should have proportional representation?—I am a member of the Proportional Representation Society and I would like, wherever possible, to have proportional representation introduced. But the real trouble is that it must be an educated electorate. In the present circumstances, I would rather like the system I put forward, namely, having three members but two votes. It has been tried here for the elections to the Senate, the committees of the local legislature and also for the elections to the Council of State and for various other bodies in this country. But it all requires a certain amount of knowledge on the part of the voters and on the part of those working the system. But wherever it can be introduced, I am entirely in favour of proportional representation. It can be introduced, in my opinion, for some constituencies or interests.

45. This system is working now?—No. As I said, it was in vogue in England from 1867 to 1885.

46. You are aware of the system in England?—I cannot say that. I am speaking on the authority of the Royal Commission where it was stated that there were three-member constituencies.

47. *Dr. Ambedkar:* In your memorandum,* under the head 'Depressed Classes and Local Bodies', you say: "There is also another important reason. So far as this Presidency is concerned, a scheme of representation in local bodies by reservation for the depressed classes, Muslims, the Indian Christians, and women in multi-member constituencies has been agreed to after considerable discussion in the Legislative Council." I venture to suggest that it is not a correct statement to say that it was agreed to?—If you have a private contract between the parties, I am wrong.

48. I am looking into the proceedings of the Legislative Council. I find therein that an amendment was moved for securing separate electorates?—May be. Yes.

49. A number of minority communities mentioned therein wanted separate electorates. Their amendment was defeated?—I will say that whatever has been agreed to by majority of the votes is an agreement between the parties.

50. The minorities did not accept it?—I do not know whether you can say that. They have all come forward in the working of it now.

51. They have not noncooperated?—But, Dr. Ambedkar, there are always two or three sections in each community, some of whom will agree and some of whom will not agree with any arrangement. Mr. M. C. Rajah wants joint electorates and you want separate electorates. How is agreement to be reached?

52. I am pointing out that there was an amendment for separate electorates.—That is a fact.

53. *Lord Dufferin:* Do you agree that if multi-member constituencies are adopted, members would feel themselves responsible not to the constituencies as a whole, but to the community which has the largest number of voters?—That is the reason why if a person has to seek the suffrage of the whole community, not only of his own group or caste, he must have a certain sense of responsibility to the electorate as a whole.

54. But surely he can expect his own class which is sufficiently strong to get him returned?—If his community or party is in a majority.

55. Even if he is in a large minority?—Yes.

56. Don't you think that multi-member constituencies would return a number of small minority communities and would not add to the stability of any Government?—I venture to think that it would not affect the stability of the Government at all. My experience is that it will not be any less stable than the single-member constituency system.

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57. *Mr. Chitamani:* Mr. Rao, you say in the second paragraph of your memorandum* that you agree to 23 per cent. of the adult population being enfranchised and you add that it may not be possible to go any further in this respect at the present stage?—Yes.

58. If, however, the local Government or the officers who are experienced in conducting elections think that they can manage an election with a larger percentage of the adult population, say, 40 per cent., may I take it that you will have no objection?—Certainly not.

59. Then, later in the same paragraph you discuss the literacy qualification. Do I understand you correctly if I state your opinion in this form: that with regard to men you advocate a lower test than the Secondary School Leaving Certificate and a test which will include those who have received education in Indian languages and classical languages?—Yes.

60. Secondly, you do not object if, in the case of women, a simple literacy test is adopted and in the case of men something higher is adopted provided it is not higher than the Secondary School Leaving Certificate?—I would not express myself entirely against any such proposal if it is for the purpose of adding more women voters to the electorate. But I would not like to have any difference made between the one and the other. But, for the purpose of meeting the exigency, mentioned by Mrs. Subbarayan, namely for a larger percentage of women, I would not object to it.

61. You have read the memorandum* of the Madras Government giving a list of castes included in the term 'depressed classes'?—Yes.

62. You have no additions to make or alterations to suggest in that list?—No. I do not think I can add anything to it; but I can say that there is always a tendency for other groups to come into this group for the purpose of having the special benefit of a special constituency.

63. You have referred to the fact that though the Madras Provincial Franchise Committee recommended 25 seats for the depressed classes, the Madras Government recommended only 18 seats and you say that if the system be one of joint electorates with reserved seats you have no objection to the higher figure?—No, no. I would certainly give one seat for each district.

64. Assuming that the competent authority decides finally in favour of separate electorates, will you agree with the provincial committee's figure?—I will agree.

65. In paragraph 6 at page 138, "Representation of Women", you say that no impediment should be placed in case a woman candidate desires to stand for any non-Muhammadan rural constituency should she be disposed to do so?—Yes.

66. Do I understand you to mean that in the case of Muslim women the same facility should be given in the Muslim constituencies?—Yes.

67. For the representation of Universities in the Council, you advocate three seats?—Yes, I do.

68. What in your opinion should be the constituency?—The present constituencies. The Universities maintain electoral rolls of graduates of a certain number of years' standing. No reasons have been assigned to depart from it and I presume that the Franchise Committee would maintain that electorate.

69. You do not approve of the change now suggested in some quarters that the old system of limiting the electorates to the members of the Senate should be reverted to?—No, I am not in favour of it.

70. And with regard to the qualification of candidates for the University constituency, you object to any person who is on any electoral roll being qualified for the University constituency?—They must be from the university roll as at present.

*Pages 133-34.

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71. You referred to the second chamber and recited what has so far happened in connection with that. Will you kindly state your own opinion on the merits of the question?—I said as clearly as possible that 'I am wholly opposed to the creation of a bi-cameral legislature in this province'. Please see para. 12 of my memorandum.*

72. *Mr. Miller:* Do you think the party system will be developed under the multi-member proposal?—I think so. I do not see any impediment in the multi-member constituency for the development of the party system. I rather think it will go the other way. It will be far better to have multi-member constituencies for the organisation of parties than single-member constituencies.

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73. *Diwan Bahadur Ramaswami Mudaliyar:* As regards the local bodies which have just been constituted or are about to be constituted, may I take it that the multi-member constituencies exist only where there is a reserved seat for one of the minority communities?—For the purpose of providing for reservation.

74. For that purpose they have been constituted?—I go further and say that not only for that purpose, but also for the general purposes of the electoral machinery there must be multi-member constituencies. For example, in Ireland all the elections to the municipal bodies are in multi-member constituencies.

75. Your idea of multi-member constituencies for other purposes is to bring in other communal groups which feel they are in a minority?—No, that is one of the reasons.

76. You strongly deprecate separate electorates, because they disintegrate the national structure?—Quite so.

77. Do you think that the perpetuation of communal groups, which will result from multi-member constituencies, is a process in the national reconstruction?—It is very much better than any other system. It seems to me that a man belonging to a particular community in a multi-member constituency has to seek the co-operation of the other groups in order to succeed, and that is the great test of the proposal. If a man belonging to a particular group wishes to succeed in a multi-member constituency, he has necessarily to seek the co-operation of others in that group.

78. But it would be so, I suggest to you, even in single-member constituencies, because no candidate could leave out of consideration any of the electors whether they belonged to the minority community or majority community?—I cannot say that. All that I can say is that in a single-member constituency supposing there are six sub-castes in a district (I am only talking of communal parties; there is a possibility of political parties also creating trouble) and that caste No. 1 is the dominant community in that area. then all the others have no choice and that seat will be kept by the dominant community for all time to come.

79. You refer to a second difficulty later. You say that when separate electorates are abolished, there may be some difficulty if single-member constituencies are constituted. I should like to know what the difficulty is. I take it that if separate electorates are abolished and either reservation of seats is given or no reservation is made, the entire system of constituencies will have to be revised, is that so?—Once you create any of these new departures there will be considerable opposition to it. The trouble is that even a small reform is sometimes the great enemy of a bigger reform. If you once begin with this, my feeling is that it will be very difficult to give up the existing system, and it is very difficult to get reconsideration of it later on.

*Page 138.

80. Till recently all the elections to local boards and municipalities were on the single-member constituency basis?—Yes.

81. And there has been no difficulty in reserving seats and creating multi-member constituencies now?—Yes, for the reason that till now the minorities were represented by nomination, which system was condemned.

82. But the vested interests of a candidate who was successfully returned by a single-member constituency do not prevent that candidate from going to a multi-member constituency?—That process gave rise to a considerable amount of controversy in the legislature. Many meetings were held and there was opposition to it and after that an agreement was arrived at.

83. I was looking at your interesting proposal to allow a Muslim or an Indian Christian to go to a general constituency. Would you fix the number of seats in a special electorate according to the strength that will then remain, or would you fix the strength irrespective of the fact whether particular voters go to the general constituency or not?—I will certainly fix the present number without reference to anybody who may get out from that constituency and allow any particular voter to go to the general constituency.

84. When the number is so fixed in a special electorate, supposing a whole block of voters, say more than 50 per cent. come to the general electorate, the result will be that they will continue to get their required number from the special electorate and also influence the general electorate. In that eventuality the numbers will have to be revised, and that will have to be done in every election, will it not?—I do not think it will happen so rapidly as you seem to think.

85. Considering the education the minorities are now having, I believe it is the majorities that should have political education?—Quite likely.

86. As regards the University constituency, you suggested that there was no reason why a departure should be made from the present system?—Yes.

87. May I point out to you that you have given the most clear reason for that when you said that the University constituencies are meant to represent the administrative needs of the University and that the Senate of the University is the best judge of the problems or the needs of the University rather than a loose, disconnected and disorganised group, etc.—I think the experience in this Presidency has been that whoever has been elected by the graduates is also generally in the Senate. The great body of graduates who return a man to the Council also return him to the Senate and therefore there is no danger whatever.

88. One last question. You are in favour of reserving seats in urban areas for women. Do you think, if I may adopt that phrase, that a "women's woman" will be returned from such a constituency as opposed to a political lady?—I think we are over-doing this "women's woman", depressed classes' depressed class man, Christians' Christian and so on. I do not think there is any difference between men and women.

89. *Mr. Bakhale:* Will you please refer to the Whitley Commission's recommendation on labour representation and the recommendation of the Franchise Committee and the Madras Government?—Yes.

90. As regards that recommendation, I would like you to tell us whether you prefer a labour college being created through the trade unions as is done in Bombay for the purpose of electing labour people to the Bombay Municipal Corporation, all the members of the registered trade unions being made voters. In Bombay, for example, I may tell you shortly, each registered trade union is asked to select a representative for every two hundred members of that union and the representatives so selected combine themselves into what is called a labour college. That labour college is asked

to select 4 members for the Municipal Corporation. Would you prefer this system to all the members of registered trade unions being put on the roll? —I cannot at once here and now say which is the better system. But my point in answering in that manner is that the Whitley Commission which is the most authoritative body on the subject and which consisted of the best men in England as well as in India, have said that is the best way of getting representation of labour, whereas the Madras proposals entirely ignored that opinion and tried to create a cumbersome constituency other than that which has been recommended by the Commission. As regards your own suggestion, it may be good. But that has to be examined later on.

91. It is stated that the trade unions in Madras have been working quite unsatisfactorily and are, so to say, *ad hoc* committees. Have you any knowledge of the working of these trade unions?—I have some friends among the organisers. But I know nothing of the working of the unions.

92. You have read the Whitley Commission's report?—Yes. I have read portions of it.

93. As regards the number of seats allotted to labour you say that the number recommended by the Franchise Committee is too small to cover such a wide area?—It appeared to be small when compared with the interests involved.

94. You know the European Chamber of Commerce, and Planting interests have been given 8 seats in all as against 3 for labour. Do you think it is fair?—I do not say anything. It appeared too small; the whole thing may be adjusted.

95. As regards the franchise, you agree with the Provincial Franchise Committee that the franchise should be extended to 23 per cent. of the adult population of this Presidency?—Yes.

96. I would like to know from you whether you think all the people in the country will be satisfied with 23 per cent. of the adult population being enfranchised in this Presidency and whether it will create sufficient enthusiasm among them for them to take to the new constitution enthusiastically? I cannot say what other people may think. But I am perfectly satisfied with this proposal at present. It may be that if and when a wider extension could be brought about, steps will be taken to increase it.

97. When framing a constitution, you will take into consideration the feeling in the country?—I know there is some feeling that the franchise should be much wider. But you have also to consider the existing difficulty, the existing franchise, the existing methods of election. And in view of all these circumstances, I think the Madras proposals are entirely satisfactory.

98. *Diwan Bahadur Ramaswami Mudaliyar:* You have advocated the restrictive vote, that is to say, giving two votes in a constituency of three members.—Yes.

99. Would you be prepared to consider what may be termed the cumulative vote?—No, for the reason that the man who exercises it is always looking out for his own men and does not exercise it for another of his neighbouring community. He does not ask for his co-operation.

100. The reason why I suggest it is this. Under your proposal, a multi-member constituency is to have a minimum of three members, but under the cumulative vote proposal it may be a two-member constituency.—It may be tried, but I would rather have a system which would compel any minority community to go and ask for the vote of the other communities and *vice versâ*. That is the reason why I said two out of three. But I understand that the cumulative vote is working well in the Bombay Corporation. That is a matter which depends on the circumstances of each community. It may be tried in Madras in the City.

2nd March, 1932.] Diwan Bahadur M. RAMACHANDRA RAO. [*Continued.*

101. *Mr. M. A. Muthiah Chettiar:* You want three seats for the University?—Yes.

102. Is it because you suggest a wider electorate?—No, no. There are three different universities here whose jurisdictions differ. There is always the question of distribution of funds. If one man is to represent all the three, his duties may not be satisfactorily discharged, as each university will put forward its case to the Government or the Legislature.

103. So you recommend three seats irrespective of the electorates?—I suggested that there should be an electoral roll for each university.

104. *Rao Bahadur Gopalaswami Ayyangar:* Would you rule out single-member constituencies altogether?—Well, I cannot say, but I think the majority of the constituencies should be, as I suggested, plural constituencies.

105. So you do not contemplate the concurrent existence of some single-member constituencies along with multi-member constituencies?—That depends on the composition and the area. Apart from all this, the objection to the single-member constituency is that it would not work unless you have some other device like the alternative vote.

106. Assuming you have a few single-member constituencies and also supposing that a majority of the constituencies are multi-member constituencies, do you think it is just that you should give the voter in the single-member constituency one voting value and give the voter in the multi-member constituency twice that voting value?—I do not know how it would be twice.

107. Because the voter in the single-member constituency casts only one vote, while the voter in the multi-member constituency casts at least two votes.—Yes.

108. So, the voter in the multi-member constituency has twice the voting value and do you think it is just?—I do not think there is anything wrong at all in that system because the area would be different.

109. After all, the vote relates to the person voted for. That is one objection which I would ask you to consider. The next thing is, supposing you have multi-member constituencies.—I am only talking about the principle—would you have the same number of seats in each multi-member constituency?—It is quite possible it may vary. You may have two-member constituencies, you may have three-member constituencies. In a two-member constituency, the man will have one vote; if it is a three-member constituency, he will have two votes.

110. Even with that you will not be remedying the difference in voting value.—I do not know why you regard it as a difference in voting value, because the area assigned to a single-member constituency would be much smaller than the area of a two-member constituency or a three-member constituency.

The Chairman: It seems that in a multi-member constituency, the voter has less voting power. His voting power will be only two-thirds.

Rao Bahadur Gopalaswami Ayyangar: But he returns two members.

The Chairman: But each vote is only worth two-third, as far as the ultimate result of the election is concerned.

111. *Rao Bahadur Gopalaswami Ayyangar:* I gather that you think that the experience in England has told against the perpetuation of single-member constituencies?—I believe so.

112. And the reason given for it is that while the Labour Party and the Liberal Party polled a large number of votes they could not get a proportionate number of seats?—Yes.

113. But don't you think that the discrepancy is due rather to the fact that our constituencies are organised on a territorial basis?—I do not think so, because the alternative vote would be necessary to adjust the voting strength.

114. I only want you to consider whether this territorial system is a reasonable one. If you give only one vote to the man and distribute among the different parties, you would not have a disadvantage?—But how is it possible to have such a system?

115. *Mr. Daniel Thomas:* You know, in our experience of multi-member constituencies, there has always been an attempt on the part of some candidate to get single votes. In the scheme which you propose do you think that this single voting would still be possible?—Yes, it will be possible.

116. You think it is a desirable feature?—It all depends upon the voter. If the voter thinks that by voting only for one candidate he thinks he brightens his chances, I think he may do it.

117. Does it not always happen that people belonging to a particular community try to secure single votes from all the members of that community?—He cannot succeed on the single votes alone. He must get other votes also.

118. A large number of single votes would help him very much?—That is bound to happen under any system.

119. *Mr. S. Muthiah Mudaliyar:* Under any system of multi-member constituencies?—No, under any system.

120. *Mr. Daniel Thomas:* You propose a simple literacy qualification for male voters also. What sort of test would you propose?—I have not thought about it. I do not know how the Census Commissioners know whether a man is literate or not. There must be some basis for their conclusion, for there are figures about literacy in the Census reports.

121. Would it not be embarrassing the electorate?—I do not think so.

122. *Diwan Bahadur J. Venkatanarayana Nayudu:* Your idea in perpetuating the multi-member constituencies is to give adequate representation to all the communities in all the areas?—Yes.

123. If you fix the number at six or seven for each constituency, do you think all communities will come up?—I do not think anything will satisfy everybody in this world. I am merely pleading for the existing practice.

124. *Mr. S. Muthiah Mudaliyar:* You say in your memorandum that there is no reason for making a distinction in the literacy qualification between men and women. You recognise that owing to the law of inheritance prevailing in this province women have not generally got any property so as to come under the property qualification? But the property qualification is not necessary for men possessing the literacy qualification. As the property qualification is one of the qualifications for the vote, so the literacy qualification is also necessary owing to the unforunate inheritance laws of this country. As women cannot own property, what is the harm in having a lower literary qualification for them?—I do not see any harm. What I say is that for the reason that you have given men the literacy qualification, you should not deprive them of the opportunity of getting in when they have the necessary qualification otherwise.

125. What I mean is this. You say there is no reason to make this distinction. Is not this law of inheritance a sufficient reason to make this distinction between men and women?—I will answer your question in a general way. The law of inheritance is at present a possible impediment for women getting in in large numbers. But if the Franchise Committee makes any proposals to widen that electorate or give larger opportunities for women to get into the

electorates, I have no objection. But do not draw any distinction which has no meaning. I do not see why men who pass the school leaving certificate should be voters on the literacy qualification, and why mere literacy should be fixed in the case of women.

126. The law of inheritance made by our ancestors made a difference between men and women. Now we want to rectify that inequality by this concession in the matter of the franchise?—I do not think it will improve matters.

127. You say about the second chamber that you are opposed to it. May I know what your chief objections are?—They have been discussed in the memorandum.

128. I want your general argument. Do you think there is a need for it in this Province?—I do not know whether the Government or the Franchise Committee have made out a case for the second chamber.

129. Supposing the idea of the second chamber is that as they are extending the franchise much more than what it was before and it is likely that the elements which will get into the lower chamber will be very different from what they have been till now, it is therefore necessary to provide some stabilising house which may make the Government more stable?—I won't make any prediction as to the future. Unless you actually feel the need for the introduction of the second chamber it is not necessary. Merely on some hypothetical ground I won't support it. It brings in too great a complication and it would be a clog on the machinery of Government.

130. As regards the franchise, do you think it would be possible for men with a stake in the country to come to the lower chamber?—If you are suggesting that the present qualification you are putting forward will frighten everybody, such men may not come in.

131. Probably the advantage of having a second chamber is that such people may be able to get in?—That is the point. The so-called men of estates and interests are regarded as men of status and the men of the second chamber want to regard themselves as men of status. Let them come into the lower house. Why create a second chamber for their convenience?

132. *Mr. James:* In connection with the reservation of seats, would you advocate that system for the representation of Europeans?—No.

133. I take it that you would welcome the presence of Europeans in the Councils of the future. What system would you suggest?—So long as the European identifies himself with Indian national interests I am very glad to have him. Any system of representation may be given to him, I don't object.

134. Would you advocate the reservation of seats for him or would you have separate electorates in the future?—In the present instance certainly they must have separate electorates. I cannot talk of the future.

135. Then with regard to Labour, are you speaking here of agricultural labour or industrial?—Only industrial.

136. Are you aware that the number of Trade Unions in the Presidency is very small?—Yes.

137. And it represents only a very small percentage of industrial labour?—The Whitley Commission said that they might appoint a Committee of theirs to go into the question.

138. *Mr. T. S. Ramaswami Ayyar:* If the separate small units were in the general electorate, your fear is that the minorities other than those in the separate electorates would be swamped out?—Yes.

139. And you think it is unfair to those minorities that they should not be given separate electorates?—I don't advocate separate electorates for the minorities. There should be some other machinery to give them a chance to get in.

140. They also deserve recognition?—Yes.

Memorandum submitted by Mr. KOTIETH KRISHNAN, B.A., B.L., Srignanodoya Yogam.

I send herewith my answers to the questionnaire sent by you. It embodies the opinion of the directors of the Gnanodayam Yogam, which represents the interests of the *Teirs* of North Malabar. I have also sent a special appeal to the members of the Provincial Franchise Committee to recommend the inclusion of sub-tenants as voters. If only statistics are called for, you will find that sub-tenants in Malabar form three-fourths of the cultivating classes. In the order of His Excellency Lord Willingdon, vetoing the first Tenancy Bill that was passed in the Legislative Council when His Excellency was the Governor of Madras, special reference was made to the absence of the recognition of the position of the actual cultivating tenants in the bill and it was only after his order that Raghaviah Committee proposed to give fixity of tenure to the under-tenants. Sections 10 to 14 of the Malabar Tenancy Act deals with this class of tenants of paddy lands, and section 18 deals with sub-tenants of garden lands as also intermediaries. The sub-tenants have thus been recognised as holders of land with definite rights.

I find that the proportion of voters to population will be considerably increased, if the owners and lessees of houses are enfranchised; but looking to the figures for Rural areas, I find that the scheme could be worked in these areas without much difficulty. It need not be extended to Urban areas (Municipalities and Unions) where voters could come in under various other qualifications. I hope it will be possible to adopt the proposals in Rural areas, where poor people have no other means of getting into the electoral roll.

I am very anxious about the future of my community, under a Swaraj Government. We are numerically superior to other caste Hindus and will be able to hold our own in any contest, where the odds are even. The nearest approach to adult suffrage alone will enable my community to brush shoulders with non-Brahman Hindus who are the landlords of Malabar, either as pattadars or as kanam tenants. The kanam tenant is really a landlord for all practical purposes.

I sincerely hope you will try to enfranchise sub-tenants in Malabar, even though property qualifications have to be pitched high for the present. If the Provincial or Imperial Franchise Committee are examining witnesses or are receiving deputations, to personally represent special grievances, I request that I may be given an opportunity to do so.

Copy of a letter from Mr. Kotieth Krishnan, B.A., B.L., to the President, Provincial Franchise Committee, Fort St. George, Madras.

We the Directors of the Srignanodaya Yogam, beg to present this memorandum to the Provincial Franchise Committee, and respectfully pray that the members may be pleased to recommend to the Franchise Committee of His Majesty's Government to adopt the suggestions contained in it. We have given our answers to the questionnaire issued by the Franchise Committee " as an annexure " to this memorandum, but we have to point out one particular disability of the members of the *Teir* Community, for whose material and social advancement our association was organised in 1907. The extent of our vested interests in Malabar could be gathered from the extract of the speech delivered by Mr. Castle Stuart-Stuart, who was a member of the Board of Revenue, when he opened an industrial and agricultural exhibition held by us in Cannanore in 1907, on which occasion he stated as follows:—

" The patient industry of this ancient community whereby *the whole face of the West Coast has been changed* has always been remarkable, and at the last census, not less than 50 per cent. of them were returned as

workers, a fact of which any self-respecting community might feel justly proud..... I have said enough to show that their claims to participate in the progressive movement of modern times are by no means fantastic, but rest on the solid basis of important qualifications and meritorious achievements."

In spite of our interest and stake in the land, very few among us were enfranchised, as under an interpretation that was put upon rule 6 sub-rule (*b*), of the "general conditions of registration" of electors to the Legislative Council, most of the actual cultivators of the soil were not enfranchised. We shall try to explain how this mistake arose.

Rule 6, sub-rule (*b*), runs as follows:—

"A person shall be qualified as an elector for a rural constituency who (*b*) holds on a registered lease under a ryotwari pattadar or inamdar, land the annual rent value of which is not less than Rs. 10."

In Malabar however, the actual cultivator of the soil, occupies the lowest position in the heirarchy of land-owning classes. The tenant immediately above him is the intermediary tenant, who *holds* the land *under a ryotwari pattadar* or inamdar. The latter class of tenants usually do not cultivate the land but sub-lease it to tenants. According to the interpretation that was put on the words "registered lease *under a pattadar*" occurring in rule 6, sub-rule (*b*); the intermediate tenant who holds land *directly under* the pattadar was *alone enfranchised*, while the cultivating tenant *holding land under intermediate tenant was not enfranchised* as he was not holding land *directly* under the pattadar. *We may be permitted to mention that our President brought this injustice done to the cultivator. by this strict interpretation of the rule, to the notice of the members of the Madras Government and we were told that this could be rectified only at the time of the revision of the Government of India Act.*

It will be seen from a reading of electoral qualifications, Schedule III of the Madras Local Boards Act of 1920, which copied all the property qualifications of a voter from the Government of India Act, the same mistake was made, with the result that most of the actual cultivators of the soil were omitted from the electoral roll for taluk boards also.

Rule I (*b*) of Schedule III of the Local Boards Act of 1920 runs as follows:—

"A person shall be qualified as an elector of a district board, taluk board or panchayat who, *holds* land in the district, taluk or village on a written lease or demise under a ryotwari pattadar or inamdar, the annual rent value of which is not less than Rs. 10."

It is apparent from a reading of the above two rules that the only difference that was made in the Local Boards Act of 1920 was that the words *written lease* was substituted for the words *registered lease.*

Our President who was a member of the Legislative Council when the Local Boards Act of 1920 was revised in 1930, pointed out this mistake and suggested an amendment to enfranchise the sub-tenants also, which was accepted by the then Chief Minister who was in charge of the bill. As a result of the amendment rule I (*c*) of Schedule III of Act XIV of 1920 as amended in 1930 runs as follows:—

"A person shall be qualified as an elector of a district board, taluk board or panchayat who holds land in the district, taluk or village on a written lease or demise, *under a ryotwari pattadar or an inamdar, or any tenant under such pattadar or inamdar.*"

The addition of the words "or any tenant under such pattadar or inamdar", has had the effect of enfranchising most of the cultivating tenants of Malabar for district board and taluk board elections, and we pray that a similar provision may be made in the Government of India Act also.

In Tamil districts, the actual cultivators are either pattadars themselves, or tenants under such pattadars. There are no tenants holding lands *under* "kuthakai" tenants in Tamil districts. But in Malabar the large majority of tenants are holding land under the intermediate tenants. We may be permitted to mention that *the members of the Teir community* who in the words of Mr. Castle Stuart-Stuart, have changed the whole face of the West Coast, *are mostly sub-tenants under the kanam tenants.* On account of social disabilities which we share in common with depressed classes, the Orthodox Hindu Rajas, and Nambudris who own most of the lands in Malabar, do not ordinarily lease them to the *Teirs* who are not permitted to approach their palaces. Often Nayars and other castemen get such lands from pattadars and sub-lease them to *Teir* tenants. It is hard that on this account the *Teir* sub-tenants should go without votes. The non-enfranchisement of the sub-tenants has even now affected their economic position, as could he verified from the history of the discussions of the Malabar Tenancy Bill before the Madras Legislative Council. Since the voters in the general constituency of Malabar consisted mostly of kanam and intermediate tenants, its representatives represented in a large measure the interests of kanam and intermediate tenants, and the voting on amendments to the bill to improve the lot of cultivating tenants (verumpattam tenants) showed, that Malabar members voted against the interests of cultivating tenants, when they conflicted with those of kanam tenants. We will give a typical example. According to the Tenancy Bill introduced by Government before the Legislative Council, the cultivating tenant was allowed only one and half times the seed for cultivation expenses in calculating the fair rent payable by them to kanam tenants. Our President who was at the time a member of the Legislative Council, tabled an amendment to raise the rate of such expenses, as it was inadequate; and at the time of voting, the two elected members of Malabar representing the general constituency voted against the amendment. We will be able to point out other instances where the interests of the cultivating sub-tenants were sacrificed to benefit kanam tenants. The Hon'ble Diwan Bahadur B. Muniswamy Naidu Avargal will bear testimony to the correctness of these statements. We may respectfully point out, that if these cultivating tenants and sub-tenants had votes in the general constituency, the elected members of the Legislative Council would not have boldly voted against their interests. Our community is not the only community that has suffered by this omission. Practically the whole of the depressed class labourers, are sub-tenants, so are a fair proportion of Mapillas of Ernad taluk. *We therefore respectfully pray that sub-tenants under the tenant of a pattadar may be included in the electoral roll, however high may be the property qualification that would be fixed.* We may mention that only a little less than three-fourth per cent. of our community are enfranchised.

We have dealt with the points raised in the questionnaire in the annexed memorandum; but since the question of enfranchising the sub-tenants who are cultivators of land is an important problem essentially peculiar to Malabar we have prominently brought that matter before the Provincial Committee.

If for any reason adult franchise is impracticable at the present moment we suggest that the qualifications of electors to the Local Boards under the Local Boards Act of 1930 may be adopted as qualification for electors to the Legislative Council, with such modifications as may be necessary to enfranchise literates and women. We may be permitted to suggest that the following class of persons in Malabar may be enrolled as voters to the Legislative Council:—

(1) All pattadars and Inamdars. (In the case of trustees of temples owning properties the first trustee or the president of the Board of trustees alone should be eligible as a voter.)

Memorandum by Mr. KOTIETH KRISHNAN. [*Continued.*

(2) All tenants holding land on a written lease or demise under a pattadar or inamdar, *and tenants holding land under such tenants.*

(3) All persons possessing military qualifications.

(4) Every adult male or female who has passed the IV standard from an elementary school or secondary school or college.

(The Grant-in-aid Code makes a distinction between the IV standard in an elementary and that in a secondary school.)

(5) Those who are competent to vote in municipal and local board elections.

(6) The literate widows, and wives of those who possess the qualifications, mentioned under the heads 1, 2 and 3. [In the case of those who follow the Marumakkatthayam law, the status of wife is not recognised by the law of the country. This status which is as morally binding among them as it is among other Hindus, must be recognised for this purpose, if other women are enfranchised on their husbands' qualifications.]

In conclusion we respectfully pray that our humble representations may receive careful consideration at the hands of the members of Franchise Committee.

Reply to the Questionnaire by Mr. Kotieth Krishnan, B.A., B.L.

I.—PROVINCIAL LEGISLATURE.

1. EXTENSION OF FRANCHISE.

(*a*) We submit that the question of the extension of franchise should not be viewed from the standpoint mentioned in the questionnaire. So long as adult franchise has been set down as a goal to be reached, the proper way to look at the problem is to explore the difficulties pointed out for giving immediate effect to the principle of adult franchise, and find out how many persons could be enfranchised without dislocating the machinery for conducting elections. The Simon Commissioners are agreed that those who are out of the electoral roll are as fit to vote as those who are in it. The property qualification fixed under the act has practically excluded many voters who are otherwise eligible to vote. Looking to the present State of Society in India, one can safely assume that literacy is not the hand-maid of wealth. Some of the most successful merchants are illiterate. At the same time, it is impossible to find even a partial substitute for adult suffrage except low property qualification of some sort which would in the words of Simon Commissioners, enable "all important sections of the community to express its needs and own opinion".

Instead therefore of fixing an arbitrary ratio of voters to population, we would recommend that a formula which would enable all communities to have proper representation of their interests in proportion to their number should be found out first, if voters who would come in under the formula would exceed 10 per cent. of the population, Government should find ways and means of conducting elections even with such an electorate. The chief objection that was raised by the Simon Commissioners against adult franchise was, that all available Government servants were found insufficient to staff polling booths even with a restricted franchise, and that sufficient number of polling officers will not be available if franchise is unduly widened. This policy of the Simon Commissioners reminds us of the old proverb "don't take away with the left hand what is given by the right". Government is very profuse in their protestations of genuine sympathy for the poor and down-trodden classes, but when such classes clamour for protection from the rich and greedy capitalists, by giving them an opportunity to express "their needs and own opinion", arguments

are put forward to stifle such ambition. If Government could find sufficient number of officers to go to individual houses of the entire population of India in one day to conduct census operations, could it be said that officers could not be found to staff polling stations, if franchise is widened? What is the charm in selecting Government officials alone to staff polling stations? If Government think that Government officials would not take sides in elections, they are sadly mistaken. Non-officials have at least the fear of public opinion, which several of the officials have not. Government could easily commandeer a host of pensioners and responsible junior lawyers, to staff two or three polling stations in each village, at one and the same time, if only a small amount is spent for the purpose. If crores of rupees could be spent for census operations, could not Government spend a few lakhs for elections? Government might possibly say, that if important minority communities are provided with special electorates, the question of wider electorates for such communities may not arise. *They however do not take into consideration the poor agricultural tenants and members of communities like ours who are classed as non-Brahmins, but who suffer the same treatment as the depressed classes, at the hand's of caste Hindus.* Even among the depressed classes, nearly a hundred communities with divergent interests are clubbed together in one class. The same could be said of Indian Christians of divergent religious persuasions, as also, of the Muhammadans. Unless franchise is substantially widened, the problem of the conflict between capital and labour will not be solved.

We therefore respectfully state that the principle of fixing the total proportion of voters to population in advance, and finding out ways and means of enfranchising the people to fit in with the number so found, is not sound.

(*b*) Our answer to this question is in the affirmative. If 2,000 Adidravidas of Bombay could muster at the Appolo Bunder to greet Mahatma Gandhi with black flags to express their disapproval of his speech at the Round Table Conference, we fail to see why such persons could not be expected to cast intelligent votes in favour of a candidate who could be expected to support them. Are the members of the National Government prepared to say that those who voted for the Labour party did not cast intelligent votes? In every community or party there will be intelligent leaders, whose advice, the rank and file would follow. The hands of such leaders should be strengthened by giving them sufficient number of voters to back them. The very fact that the illiterate, unenfranchised members of the depressed classes chose Dr. Ambedkar as their leader in spite of the undoubted personal magnetism of Mahatma Gandhi shows that they could cast intelligent votes if they were enfranchised. Mistakes will happen, as they do even in the best regulated families, but that is no reason to refuse franchise to the deserving poor, especially when the future parties in India will be formed on the basis of Capital *versus* Labour.

(*c*) Our answer to the question is, yes. "Where there is a will, there is a way." Looking to the leading form in which the question is framed, we are led to believe that the President of the Franchise Committee is not prepared to recommend a wider franchise.

From a perusal of the report of the Statutory Commission we had hoped that some proportion between 10 and 25 per cent. of the population would have been enfranchised before the next elections took place. But the trend of the questionnaire issued by the President of the Franchise Committee gives little room for hoping that franchise would be widened to make room for the effective representation of our community in the Legislative Council.

One of the doubts expressed by the President is whether an electorate of such dimensions would be administratively manageable. We are

decidedly of opinion that the difficulties pointed out are more imaginary than real. Government have at their disposal an army of village officials who could prepare the electoral roll of each village in a week. Their work could be checked by assistant election officers or higher revenue officials without any difficulty. The recording of votes is quite an easy matter. The election day is a public holiday. Every official and non-official in the district will easily be available to staff the polling stations. The counting of votes need not worry us, as there is no harm even if it spreads over several days, as is feared by the Simon Commissioners, once the polling is over in one day.

(*d*) This question does not arise as our answer to questions (*b*) and (*c*) are in the affirmative.

(*e*) Our answer to this question is decidedly in the affirmative. The widening of the electorate not only serves to give effective representation of the poorer classes in the legislature, but has the still greater advantage of preventing corruption in elections. If the electorate becomes large, even rich men would not be able to bribe individual voters, which has now become a common feature in all elections. We have had typical examples of such corruptions in the election of members of the municipal councils. Under the Act of 1920 each ward consisted of 600 to 800 voters which left little room for corruption in a petty municipal election. But when the wards were reduced in size, the electors also became comparatively very much reduced, and voters were freely bribed, the price of votes increasing in proportion to the decrease in the number of voters in each ward. Government should profit by such experience and try to prevent corruption. Apart from the moral aspect of the question, the prevalence of such practice prevents respectable and honest men from coming forward to contest the elections, and what is more, the poor but deserving people will have no chance of contesting an election. The Simon Commissioners state, that there are more adult literates, than voters, and concludes as follows:—"As many of those who vote, vote as illiterates, the inference that there are many as yet unenfranchised, who are at least equally well qualified to be electors, is strong." We may be permitted to mention that in our experience, literate voters have, in cases in which they were bribed by candidates, declared themselves as illiterates to show their "loyalty" to the persons who bribed them so that they may be assured that their money was "well spent". The Madras Government have however devised a new method to prevent such abuses, but in spite of it, it is highly necessary to widen the franchise to such an extent that poor men may not fall victims to temptation. Loop-holes will be found for evading rules.

Government have also to take note of the enormous influence wielded by landlords over tenants, and should make allowance for many labourers who would succumb to the influence of the landlords. Making allowance for many such "casualties" there must be sufficient number among them to prevent an undue preponderence of the landlord element in councils, which has been noticed even by the Simon Commissioners. *We would therefore suggest that franchise qualifications should at least be reduced to the same level as in the case of local boards under the new Amending Act of 1930.* It is difficult to find out the exact revenue payable for a portion of a holding held by a tenant, and franchise based upon a specific sum of money payable as revenue in respect of a tenant's holding would be unworkable, as has been amply demonstrated during the last ten years. We could point out hundreds of cases in each village where eligible tenant voters have been excluded and ineligible voters included, according to the whims of village officers. This is all the more common in Malabar where hundreds of acres of land are included in one survey number, and registering officers could exclude any tenant from the list with impunity.

In addition to those who are thus enfranchised we would recommend that the wives of such voters may also be enfranchised. In Malabar where the Marumakkathayees predominate, the status of existing and future wives of voters should be recognised. We entirely approve of the proposal of the Simon Commissioners to enfranchise all literates who have passed the fifth standard, from an elementary or secondary school. As a necessary condition precedent to the success of democratic institutions in this country *we would most strongly urge the repeal of the Hereditary Village Officer's Act.* We would also recommend that all civil and criminal jurisdiction and the powers of Police officers which the village officers now exercise should be taken away from them, as such powers give them the full privileges of a dictator in a village. We are sure that 99 per cent. of the elected members of the Legislative Council will be afraid even to express their assent to this proposal, unless they are examined in camera.

(*f*) This question assumes that adult suffrage is impracticable at the present moment. We beg to differ from this view. *If in all the elections in French India, adult suffrage has worked satisfactorily, we fail to see why it should not be adopted in British India.*

We are however not in favour of group representation of illiterate voters. The time, labour and money which will have to be spent for the preliminary election of the representatives of illiterate voters could more profitably be employed in widening the franchise and opening more polling stations, so that all literate and illiterate voters could vote on equal terms. Besides, the segregation of illiterates would be strongly resented by them. *If however franchise is not properly widened groups of 5 instead of 20 may be asked to select a representative.*

2. FRANCHISE QUALIFICATIONS.

(*a*) Our answer is "yes". *We would suggest that a house should be made the unit for electoral representation.* The possession of a house, whether as owner or *lessee or sub-lessee* should be made the qualification for franchise, whether the house is situated in Rural or Urban areas. The heads of such houses should be given the right to vote. This method alone would satisfy the direction of the Simon Commissioners who in their instructions to the Franchise Committee recommend that some qualification should be devised which would secure as far as possible the same proportion of voters to population in different communities. The proportion of the population of the various communities in villages will be more or less in accordance with the number of houses occupied by such communities. *At any rate this experiment could be tried in Rural areas if any distinction is to be made between Rural and Urban votes.*

Under existing franchise rules "rent value" has been construed to mean the assessment on the land, and tenants in possession of land assessed to Rs. 6 have been excluded from the rolls even though they have been paying more than Rs. 50 as rent to the landlord. The wording may be changed by deleting "value" after the word "rent". *The greatest injustice that was done to the poor people in Malabar in Rural areas under the existing rules, is the disenfranchisement of practically the bulk of the agricultural tenants by an inadvertent omission that was made in the rules, as will be shown below.*

It will be seen from a reading of sub-rule (*b*) of rule 6 that while a tenant under a ryotwari pattadar has been enfranchised, the sub-tenants under such tenants were *not* enfranchised. This has not resulted in any hardship in Tamil and Telugu districts, as in those places the tenant under a ryotwari pattadar will invariably be the actual cultivator. *In Malabar, however, the actual cultivator, in 75 per cent. of cases are sub-tenants under kanam tenants or intermediary tenants.* It may be noted that most of the members of our community, the Muhammadans and depressed classes

in Malabar are sub-tenants called *verumpattakkars.* The Muhammadans and depressed classes may not suffer by this omission as in any case they would get their representation through separate electorates. *But the Teirs and others who are included in the general electorate will have no opportunity of getting any representation if sub-tenants in actual possession of property are not enfranchised.* At present only a little *less than three-fourths per cent. of our community are enfranchised.*

We have mentioned in our memorial about this subject in greater detail. We would suggest the following in the place of sub-rule (*b*) of rule 6 of the Government of India Rules.

"*Holds land in the district, taluk or village on a written lease or demise under a ryotwari pattadar or an inamdar or tenant under such pattadar or inamdar.*"

This change would bring the rules in line with the rule in Schedule III of the Local Boards' Act of 1930.

(*b*) We have already stated in answer to question (*a*) that the object of giving a voting strength to each community in proportion to its numbers could only be achieved by treating each house in a village or town as the unit of representation. Any kind of property qualification other than this will not give proportionate representation to the depressed classes, most of whom are day-labourers, without any sort of interest in land, except as lessees of houses or house-sites. It is possible to give such representation if Government only tries to do so. The preparation of the electoral roll is extremely easy as the revenue officials have a full register of all houses with the names of their owners which they had prepared for the last census in 1931. Even the names of all occupants of such houses will be available from the census office, if the officers are asked to preserve them.

We are decidedly in favour of communal electorates for minority communities. We would add that the tapping community which stands to lose its very existence under a Swaraj Government should be given communal electorates. If industrial labour could get representation, the tapping community stands in greater need for protection.

(*c*) In an agricultural country like India the alternative to adult franchise is property qualification of some sort as a test of fitness for the franchise, in addition to the qualification as literates.

The existing property qualification is not suitable in principle. *All kinds of tenants, especially cultivating tenants should be enfranchised by adopting suitable modifications to the rules as indicated above.*

(*d*) We are in favour of introducing a qualification based on education, independently of property. We are prepared to accept the qualifications fixed by the Simon Commissioners, but this should be independent of the qualifications for tenants of agricultural holdings.

3. WOMEN'S SUFFRAGE.

(*a*) We are in favour of enfranchising women on their husband's qualification, but qualification of literacy should be a condition precedent to such enfranchisement. We may however add that if the increase in the electoral roll by their enfranchisement would be such, that property qualifications have to be raised to accommodate such increase in the total, we will not recommend it. Statistics show that about a quarter of a million women as compared with 6¼ million men are enfranchised under existing qualifications. Looking to the fact that most of the Indians get married between the ages of 20 and 25, nearly 5 million women would be enfranchised on their husband's qualifications. If franchise is widened, instead of the quarter million women who are now enfranchised, nearly two million women would be enfranchised on their own property qualification. So long as males

will not be enfranchised on their wives' qualification, the total number of women who will be enfranchised under this scheme, will exceed the total of the men if all women are enfranchised as indicated above.

Out of the total number of women who would be enfranchised 90 per cent. of Musalman women would not exercise the franchise in spite of the special pleading of the lady delegates to the Round Table Conference. Even among other classes not more than 10 per cent. would attend the poll. A very large proportion among them would not have even opportunities of seeing a candidate much less of knowing his qualifications. They might serve as weight to their husband's vote, if they take an undue interest in getting them recorded in favour of their friend. Under such circumstances we would recommend that women need not necessarily be enfranchised on their husbands' qualifications, as it will only serve to swell the electoral roll. If Government are very anxious to see that not more than 10 or 15 per cent. of the population should be enfranchised, we would recommend a widening of the franchise to the utmost limit and increase the number of male voters who are more likely to exercise the franchise.

(*b*) We are not in favour of this proposal, but it could be adopted if franchise is not properly widened.

4. REPRESENTATION OF DEPRESSED CLASSES AND LABOUR.

The system of nomination for any community is not desirable, much less is it desirable in the case of depressed classes and labour. *Unless the possession of a house is made the basis for representation, the depressed classes and labourers have no chance of getting proper representation in the electoral roll.* Adult franchise would have been the appropriate method of selection in their case. It is impossible to devise any other general qualification applicable to all communities which will enable the depressed classes to come in the electoral roll in proportion to their population.

II.—FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) We entirely agree with the proposal, but wish to add, that persons who are not members of the Provincial Legislature should also be eligible to stand as candidates. Persons who are in the council at the time of election should be made ineligible to stand as candidates unless they resign such membership. Personal obligations between members of the Legislative Council ought not to be allowed to play a part in such elections, as it is bound to do, if members are also allowed to stand as candidates while they hold such office.

(*b*) In our opinion there should be no direct voting for membership in both houses. In French India where even adult suffrage is recognised for election, the members representing India in the French Parliament are elected by indirect election by members of the local and municipal boards. The franchise qualification for the Central Legislature does not therefore arise.

(*c*) We are not in favour of direct election to the lower chamber also.

In our opinion the members of the lower chamber should be elected by the members of municipal councils, district boards and local boards. If panchayat boards are to be constituted in all provinces as is proposed to be done in the Madras Presidency, the members of such boards should also be chosen as voters. We are not in favour of communal representation in both chambers. Most of the subjects to be discussed by such councils are of all-India importance in which communalism could not play an important part. On the other hand, we want men of outstanding merit to deal with imperial problems which have to be tackled by these Councils.

The persons competent to master such subjects are very few, while the aspirants to such honours will be mostly landed magnates who are *notoriously* backward in education.

Competent persons who would deal with such subjects are often very poor and are bound to be scared away at the prospect of an open pitched battle against gentlemen with long purse, if direct voting by qualified voters is resorted to. During the time of Minto-Morley Reforms indirect voting by local bodies has been a success, and we see no reason why it should not be revived at least in the case of the Federal Chambers. If communal electorates are to be formed, the representatives of those favoured communities in the local self-governing institutions could be asked to select their candidates. We are decidedly against direct voting for membership in the lower and upper chamber.

We do not approve of the proposal of direct voting in Urban areas and indirect voting in Rural areas. It is inviduous to draw a distinction without a difference, between the city mouse and the country mouse even in self-governing institutions. If we are asked to chose between city voters and rural voters, we would unhesitatingly cast our vote in favour of the rural population, who are more amenable to discipline, and the right sort of men could carry conviction in the minds of such people who are not conversant with the tricks of the trade as city voters are. We could afford to play with local self-governing institutions and even with the Legislative Council, but in the Central Legislature where a vote, this side or that, would settle the rate of an empire we want men of outstanding ability as members and tolerably more intelligent electorate to elect them. Apart from the question of selecting the best men for such offices, we apprehend great danger if direct voting is resorted to. The territorial constituencies will be so wide that franchise has to be considerably restricted. Rich men alone would become voters in such constituencies. The candidates returned on this ticket would always try to nurse their constituencies ignoring the claims of the poor. This would be disastrous to the interests of agricultural and industrial labourers and tenants, especially when conflict between labour and capital are becoming increasingly pronounced every day. Even the revival of the civil disobedience movement was the direct result of the conflict between capital and labour. Many such are bound to come, if a pocket borough of the rich is made to control the destinies of the poor. At the last election held in this Presidency, to elect a member to the Council of State to represent Southern India, landlords of Malabar who had figured very largely in the electoral roll were whipped up to vote for a very wealthy magnate by a Raja of Malabar by a circular, in which he stated that his nominee would support the claims of Malabar jenmis if he was returned. The bait caught, and several jenmis voted for him.

In the case of indirect election, at least the voters will be the nominee of the rich and poor alike, and agricultural and industrial organisation could control the votes, of their nominees, however imperfect such control might be.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

Women.—We do not favour a very large representation of women in the Federal Legislature. By temperaments and habits, they cannot be expected to face an election with men in a joint electorate. To create a separate electorate for women and conduct an election separately for them is impracticable. We would therefore suggest that women who are now elected to municipal councils and local boards should be given the right to elect one member from each province to the lower chamber.

Labour.—It is difficult to devise an electorate for the representation of agricultural labourers in the Federal Legislature. So long as land revenue

and land legislation are provincial subjects, a separate representation of agricultural interests in the Federal Legislature is not indispensible. Industrial labour being a central subject their interests have to be protected. We are however unable to give concrete proposals for their representation.

Depressed Classes.—The depressed classes are mostly industrial or agricultural labourers. The latter class does not require representation while the former would come in under labour representation. However, as an inducement for the members of the community to put their best foot forward, and come into line with other communities, they may be asked to elect one member to the lower chamber. We do not recommend any communal representation in the upper chamber.

GENERAL.

The existing franchise has not touched the fringe of the agricultural labourers and the *want of representation of the cultivating tenants in the electoral roll has affected their interests almost in the first legislative enactment that was attempted by the last Madras Council.* The discussions regarding the Malabar Tenancy Bill has afforded one instance in point. We have adverted to this in our memorandum, but we extract it in the answers to the questionnaire as we fear that the separate memorandum might escape the notice of the members. When the question of reducing the rent payable by the cultivating tenants was voted upon, the two Malabar members representing the general constituency voted against any reduction although several of the members voted for it. On another occasion, when an amendment was moved to delete the provision for demanding advance rent or security for due payment of rent, payable by *cultivating tenants*, the same members voted against it. Diwan Bahadur B. Munisawmy Naidu Garu, the Chief Minister would testify to the correctness of these statements. If the cultivating verumpattam tenants had been enfranchised, the members representing Malabar would not have voted against their interest. It was our President who was a nominated member of the Council who had fought for their rights. The defects in the rules pointed out by us might be rectified.

2. The voters who are now enfranchised are richer class of pattadars and landowners. As a result, the zamindars and other landlords have been able to capture four times as many seats as are reserved for them (*vide* the report of the Statutory Commission). If the electorate had been widened, such a calamity could have been averted.

3. Corruption and bribery have been the feature of most elections. The undue influence of landlords over the voters has been still more marked. The elected members of the Legislative Council, who had to face the present electorate might get alarmed at the prospect of meeting a large number of voters, but they forget the advantages of such elections.

In our opinion franchise should be widened to such an extent that even rich men should not be able to bribe the voters.

4. We recommend single general constituencies in all elections. Often, candidates join together and spend for elections so that the joint wealth of both might be utilised for canvassing votes. Besides the present constituencies are so unweildy that a man of average means is not able to cover the constituency even for canvassing votes much less for ascertaining the needs of the electors. Malabar is divided now for judicial purposes into North and South Malabar. The district itself is the biggest in the Presidency. The land tenure and social customs prevailing in the two sub-districts are such that there is very little in common between the people of the two places. *It is highly necessary that North Malabar should be separated from South Malabar, at least for the purpose of elections.* If, as is likely, more than two general seats are to be allotted for Malabar, we suggest that the district may be divided into three or more electoral areas,

instead of forcing all the candidates to contest the seats in one electorate, at one and the same time. *Persons with poor means will not be able to cover an area of 5,585 square miles and canvass votes in a district which contains nearly 3 million people. The country itself is hilly and inaccessible in many places. Looking to the peculiar isolated position of Malabar, she should get more representation than other districts.*

Electoral Rules.—The provision for compelling an illiterate voter to announce the name of his nominee, in the presence of a candidate or agent has led to several corrupt practices. The landlords have compelled even literate tenants to give open votes under threat of eviction. Literate voters who had been bribed were compelled to give open votes. The Madras Government have prepared a new method for the recording of votes by illiterate voters which we approve.

The statistics appended to the questionnaire shows that under the new municipal and local board franchise and in Madras Corporation franchise, nearly 10 per cent. of the populations are enfranchised. Most of the literate men and untouchables would have come in under the rolls under this franchise. If literate women, who are enfranchised on their husbands' qualifications, are included, the total will not exceed 15 per cent. At any rate the proportion, does not come up to the maximum envisaged by the Simon Commissioners.

In conclusion we pray that the general electorate for Provincial Councils should be widened to such an extent that agricultural and industrial labourers may be enfranchised as much as possible.

Mr. KOTIETH KRISHNAN, B.A., B.L.

1. *The Chairman:* We intend to examine you in your personal capacity and not as representing any association although you have sent us a very interesting memorandum.

2. In that memorandum you say " we would most strongly urge the repeal of the hereditary Village Officers Act ". Will you explain that?—In all the villages I find that the officers have a lot of influence with the voters and they practically dictate terms to the various candidates who go to the village for votes.

3. In Malabar?—In all the places. In Malabar, the Act does not apply but the principles are made applicable. The result is that when a man is turned out another member of his own family will come in as an officer.

4. Do you mean to say that the principles of the House of Lords are already represented in Madras?—It has been recognised.

5. They are officers by hereditary rights?—Yes.

6. You say that the abolition of that system is necessary for a free working of a democratic institution?—Yes.

7. You suggest that the house should be made a unit for electoral representation on the ground that that will distribute more voting power throughout the community?—Yes.

8. Have you actual views as to how you propose to give effect to that idea?—Yes; occupation of a house either as owner or as lessee or sub-lessee.

9. Would you abolish the property qualification and substitute this qualification?—Yes.

10. And possibly the educational qualification?—That would cover all the others.

11. And you think that that would really enfranchise all sections of the community?—I should think so; in fact in all villages it would pertain to the occupier of a house.

12. Tenants as well as landlords?—Yes.

13. Would it incorporate labourers?—Labourers agricultural as well as industrial and the depressed classes.

The Chairman (addressing Mr. Muthiah Mudaliyar, the Chairman of the Provincial Committee): Mr. Chairman, are you going to deal with the point raised about the disenfranchisement of the sub-tenant by an inadvertent omission in the law.

14. *Diwan Bahadur Ramaswami Mudaliyar:* As I understand, that has been remedied in the Local Boards Act. (*Witness*) Yes, by an amendment which I brought forward.

The Chairman: You express the opinion that Muhammadan ladies are unlikely to exercise the franchise. However I will leave that for the lady members to deal with.

15. *Major Milner:* I see that you express the opinion that in your view nomination is not desirable for labour. Do you seriously take that view?—Yes.

16. That is a very good reason for some special steps being taken so that labour is adequately represented?—Yes, both kinds of labour, industrial and agricultural; more so, the last.

17. Agricultural labour will be very largely represented, in the first instance at any rate, in the general constituency?—If the house is made a unit.

18. Have you had an opportunity of looking at the suggestions made by the Provincial Committee in Madras?—No.

19. I might suggest it would be helpful if you would look at those proposals and see how far they would obviate the difficulty in Malabar and how far they would enfranchise the great masses of the population?—I will do that at leisure and send up my proposals.

20. *Mr. Tambe:* Have you any knowledge of the conditions of sub-tenants in places other than Malabar?—No.

21. Will you please refer to your answer to 1 (*e*). You state "In Malabar where the Marumakkattayees predominate the status of existing and future wives of voters should be recognised?—I have done that advisedly, for one reason that their relationship is not recognised by law. There is a bill before the Legislative Council to legalise these marriages, so that if you put a wife in for the vote, the officer, who prepares the roll will say, "you are not a wife". I have used "wife" in the sense peculiar to Malabar.

22. *Lord Dufferin:* Do you think, if the indirect election system is reintroduced, that the people of this province will consider it a retrograde step?—I don't know whether it is retrograde. I think it is the best way.

23. Do you think there would be a great feeling in the province against it?—I don't wish to say anything on behalf of the people but so far as the Federal Legislature is concerned people are not so keen about it as they are about the Legislative Council.

24. *Mr. Butler:* If we have groups of 5 in a family, would that correspond to your wishes?—To a certain extent; there would be the father, the wife and a small group of children, if they are adults.

25. *Mrs. Subarrayan:* You suggest a method for securing representation for women in the lower Chamber. Have you thought of any provision for women in the Provincial Legislature?—Reservation of seats for women.

26. By the same method as for the federal lower house, women candidates to be elected by women members?—No, I think there ought to be reservation in the general electorate, a reservation of so many seats.

27. From a whole general constituency?—Yes.

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28. *Sir John Kerr:* Do you want to enfranchise all sub-tenants under the Local Boards Act holding under a written lease. Do you consider that sufficient?—Yes.

29. You also want to enfranchise all the occupiers or lessees of houses?—One will cover the other, more or less. If you take the occupiers of houses, they come in as under-tenants. The latter qualification covers the former.

30. Would you be content with a single qualification?—I would be content with the house qualification.

31. Would you enumerate the houses?—The village people have got it on record.

32. That will be out of date?—It is very easy for the officials to revise it.

33. You would wipe out the written lease and substitute the occupation of a house?—The written lease is all right. Probably a man may say he has been in occupation of a house and it would be difficult to verify it. If there is a written lease, it is alright. I may say that so far as the Malabar tenancy is concerned, an Act was passed a year ago where persons with oral leases have been given a fixity of tenure and the courts are deciding those cases.

34. If you are going to have an electoral roll you must have something fairly simple so that it may be decided simply and quickly whether a man is entitled to come on the roll or not?—Yes.

35. You are going to entrust this task to the Village Officer to certify whether he has a house or not?—I don't think the Village Officer will be able to say whether a man has a house or not. There is the Assistant Election Officer, the District Election Officer and the Inspector of Municipalities who will always supervise. We have now so far as the Madras Presidency is concerned a separate supervising Officer. If the Village Officer will prepare a list and the Assistant Election Officer will check it, it will be more or less complete.

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36. *Mr. Muthiah Mudaliyar:* You said that if the franchise is not extended to sub-tenants you are quite sure that a reasonable number of your community will not come in?—A fairly reasonable number of my community will come in if the sub-tenants are enfranchised.

37. Men of the Hindu community including the depressed classes?—Including the depressed classes. The Muslims, the agricultural classes and men belonging to my community will come in.

38. Do you think that it is more advantageous to have the lease and sub-lease qualification for the purpose of franchise than the house qualification?—The house qualification is better.

39. In a house there will be a number of adults, each having a separate lease and so don't you think that it is better to have the lease qualification which will bring in 4 or 5 people instead of one man whom the house qualification will bring in?—I don't say that one should be omitted.

40. If you want to have only one, which would you prefer?—The lease qualification would be better.

41. Now, there is some complaint,—I don't know whether it is true with regard to your district or not—that at the time of the preparation of the roll bogus leases are prepared. Supposing that is a fact, what other safeguard would you suggest to prevent such bogus leases being used?—The Assistant Election Officer will check.

42. Can't we say that all registered leases should be taken into account?—It is my experience that leases of small lands are not registered. Specially in Malabar *verumpattaddar's* leases are never registered.

43. Will there be much difficulty about that?—Just for the purpose of getting a vote, I don't suppose the tenants would register nor would the landlord insist upon it.

44. The landlord may not insist?—I don't suppose any man would volunteer to register a lease merely because he is getting a vote.

45. If the lease is for more than 3 years it has got to be registered. Oral leases won't come under the Act. Will there be much difficulty?—There won't be much difficulty, but it will be practised and therefore for a number of years they will not come within the electoral roll.

46. Will it be a hardship to make that condition?—If you put it as registered it will be a hardship. If you put it merely as a written lease it would be all right. The Assistant Officer can find out.

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47. *Mr. Muthiah Mudaliyar:* You say, even under the present franchise the electorate is not casting an intelligent vote?—I may be making an invidious distinction. I don't wish to be very dogmatic.

48. What is the new method of recording the votes of illiterates which you mention in your memorandum?—I had only seen it in papers. I think it is a very sensible suggestion, but the only difficulty is in the matter of the Legislative Council. I don't know whether most of the voters would be seeing the candidates for whom they are voting and probably they may not have even seen the photos.

49. You mean the affixing of the photo on the box and having the coloured boxes?—Yes. The only difficulty is, I doubt very much whether most of the persons who would go as voters would know the man for whom they are voting. However it is practicable.

Memorandum submitted by Mr. V. SUBBUSESHAN, M.A.

I.—PROVINCIAL LEGISLATURE.

(*a*) I suggest modification in the existing franchise as follows with a view to increase the percentage and keep it between 10 and 25:—

(1) The present property qualification, *viz.*, Rs. 10 in the case of rural pattadars and Rs. 3, *viz.*, professional tax in urban areas may be lowered to Rs. 5 and Re. 1 respectively. Though the number of ryotwari pattas between Rs. 5 and Rs. 10 is not available, considering the small holdings, it may be taken approximately as 60 per cent. of 3,150,000. It is possible to secure in the Government ryotwari villages, a total electoral strength of 3½ millions. Again, in the Zamin villages, Rs. 5 pattadars may be taken at 75 per cent. of the figure 4,200,000, as the assessment rates in the Zamindar tracts compare very unfavourably with the Government rates in the Ayan villages. A heavy assessment necessarily adds to the electoral strength. It is possible to enfranchise on this basis nearly 6½ millions.

Five rupees pattadars and above in Government villages	3,290,000
Five rupees pattadars and above in Zamin villages	3,150,000
Total electoral strength .	6,440,000

In urban areas, all the profession-tax payers from 1 rupee and above may be given vote which may gain an approximate 5 lakhs. Thus 7 millions can be enfranchised which I consider a safe limit for the present.

(2) The residential qualification of 120 days' stay insisted upon must be removed. It prevents a decent percentage of otherwise qualified voters, small landholders who generally remain in towns as retired men, from exercising the franchise. They do not come both in the urban and rural electoral rolls. I admit that the number so disfranchised is nothing in proportion to the total number of voters, but I suggest that it unnecessarily restricts the franchise and may be removed.

(3) In addition to the property holders, big and small in the rural areas, I suggest for the consideration of the Franchise Committee, the introduction of a new class of voters with a special qualification. All literate persons with a middle school or third form qualification with a salaried appointment carrying not less than Rs. 240 per year, residing in the non-union villages and hamlets may be given the vote. At present, a class of public servants like the Sub-Inspector of Police, Sub-Registrars, Station House Officers, rural medical men, vaccinators, elementary school masters, local fund overseers and maistries and other similar officials, stationed in villages which are not local fund unions, either major or minor, have no means of exercising the franchise because they do not pay any tax whatever. This class is the most steadying influence in the rural areas during these troublesome times, even though their stay is purely temporary which does not extend beyond three years. It is possible to bring in between 2 and 3 lakhs in the electoral roll for the whole presidency. Similarly I suggest a lodger franchise for the towns, the rental qualification may be fixed at Rs. 60 a year.

(*b*) It is rather difficult to give a cut and dry answer to this question. His Majesty's Government is trying an experiment in the Indian continent which the Britisher has taken seven centuries to evolve from the days of the Great Simon of Montfort. The history of the British Elections convince me that even the British elector with a heredity of seven centuries of Parliamentary experience, does not know his own mind and rarely exercises an intelligent vote. He is carried away by newspaper stunts, emotional thinking and catchwards of the platform notwithstanding the frequent meetings held when the candidates announce their programme and explain their policies. In India, it will be physically impossible for candidates to meet their constituencies even once to explain policies. They can never come into contact, unless the present territorial constituencies are so reduced in size as to give the legislature a strength of 750 members, which is not a practical proposition. Hence I am sceptical about the ordinary elector exercising an intelligent vote. It is sure to be a vote for a person and not for a policy as it had been since the Reform Act of 1919. Hence my answer to this question is an emphatic negative, as regards the normal rural voter.

(*c*) At present, the Revenue department is in charge of this work, *viz.*, preparation of electoral roll, revision, etc. The extended franchise is sure to throw considerable additional burden on the departmental officials, but I am not prepared to assert that it would become unmanageable administratively, provided the following steps are taken:—

(1) A central election office at Madras presided over by the civilian who had been the Superintendent of the Provincial Census with powers of supervision and control over district offices.

(2) A district election office, attached to the collectorate over which the collector to have supervision.

(3) Election Inspectors, one for each sirka in the district to perform the function of enrolling.

(4) A non-official advisory committee to help the District Collector in election matters, to meet in the District Head Quarters at least once a year.

(5) Larger utilisation of the non-official element, to act as polling officers with clear departmental instructions.

(6) An elected committee of the legislature to decide about disputed elections or the continuance of the present practice.

I admit the above suggestions will entail considerable additional expenditure but it is the price which a democracy must pay.

(*d*) Though my answer to question (*b*) is a decided negative, I would extend the franchise in rural areas to small property holders provided they are literate in the sense that they know the 3 R's. Any high literary qualification imposed would unduly restrict it and the object of the reform proposal is frustrated. In urban constituencies, it is possible to bring within the electorate all graduates of the Universities above 25 years of age, whether in employment or not provided they are resident within the limits of a municipal town for not less than 90 days.

(*e*) The benefits to be actually derived by the public, due to changes in the form of government are yet to be demonstrated. The working of the transferred half by the so-called ministers have left me entirely cold. It has not done any signal public service except to increase the cost of the administration and encouraged the vicious principle of job hunting in the political field. It is yet a moot question how far an extended electorate would frankly condemn undesirable methods and insist on purity in public life. Hence I am not prepared to extend the electorate beyond the safest limit possible and see how it discharges its function. A revision of the franchise may be made after 10 years and that also, only if there is insistent demand for enfranchisement.

(*f*) Considering the general illiteracy of the mass of Indian villagers, some kind of indirect election may be necessary and the suggestion in the questionnaire appears to me to be admirable. The grouping of villagers is either on the basis of an occupation or on the basis of a minute sub-division of caste. There is no possible objection if eight families of goldsmiths, 5 of carpenters elect 10 among themselves to be voters. Grouping of this kind can be conveniently made in many villages, with which I have intimate acquaintance. The other grouping on the basis of caste sub-division has a dangerous possibility in intensifying communalism in the villages where it is not so rampant as in urban areas, but as a primary electoral group, it is nevertheless good.

(I shall answer this question more elaborately when I deal with depressed classes.)

These group electors must be permitted to vote along with the direct electors and no special constituencies must be created for them. Under the present reform scheme, we have Hindu, Muslim and Christian voters, voting separately. This new group would become the fourth. I fear, it would be an attempt to give the group electors undue importance. The right step is to obliterate as far as possible separate constituencies and separate representation even from the outset, barring of course, the existing separate electorates.

Memorandum by Mr. V. SUBBUSESHAN. [*Continued.*

(*g*) If separate constituencies are created for the group electors, I strongly advocate that only group electors should stand for these constituencies. I am sure it would give to our legislature, a much needed and a strong rural element. The town lawyer or the big rural landowner and the commercial magnates dominate the legislature at present. Representation of rural interests is *nil*. The legislature may not be brilliant in its intellectual attainments but it is sure to be practical and businesslike There is the likelihood of members not knowing the official language but the difficulty is not insurmountable.

Hence I am strongly in favour of the course and wish it is adopted. (Answers to (*h*), (*i*) and (*j*) are given in the last page.)

2. FRANCHISE QUALIFICATIONS.

(*a*) I do feel that there is marked disparity in the operation of the franchise qualifications, more to the detriment of the urban residents rather than to the rural electors. The municipal profession tax rates of Rs. 3 per year exclude the entire salaried class with an income of Rs. 1,200 and less I find this operating as a deadweight. Of course this class does not possess property. It has education and a fixed salary but not much to entitle them to vote. On the other hand a rural voter with 3 acres of land in his own right, which may not fetch as much income as the urban voter gets, has the electoral privilege. I make a modest estimate that in a municipal constituency like Madura, between 4 to 5 thousand people with an income between Rs. 500 and 1,000 are left out. So is the case with the town artisans who make up an income between Rs. 300 and 500 per year. It is in urban areas that the franchise qualification requires to be considerably lowered. Hence I suggest the following:—

(1) The lowering of the professional tax qualification to Re. 1 per year.

(2) The creation of a lodger franchise where the head of a family pays an annual house rent of not less than Rs. 60 per year, or any resident, single or married, pays the same.

(3) An occupation franchise conferred on those small artisans above 21 years who had been in a trade or handicraft industry for not less than five years.

The above suggestions will approximate the urban resident to the position of ryotwari pattadar paying at least Rs. 5 kist.

(*b*) If the word 'community' is strictly to be interpreted as one based on religion, we have three distinct communities:—The Hindu, the Muslim, the Christian (the Anglo-Indian and the European are separately classified for election purposes, as distinct from the Indian Christians). If no other classification or division is allowed, I do not find any reason why the voting strength should not be in proportion to its numbers. Though I agree to the general principle, I would relax the proportion rule in the case of the Muslims and enfranchise 40 per cent. of the 1¼ millions over 20 years of age, and exclude the entire European and Anglo-Indian group from the operation of the rule. The rule is sure to be a hardship in the case of the Indian Christians who number 8¾ lakhs above 20 years of age.

The percentage of literates is higher than the other two communities. Hence a 75 per cent. proportion of the total voting strength seems to me quite reasonable. If the old division of the Hindu community into the Brahmin and the Non-Brahmin Caste Hindu is to be followed under the new dispensation, I urge the Brahmin may be treated as Christians, remembering

that the highest percentage of literacy is obtainable only in these two communities.

Communities.	Total Males over 20 years' of age.	Total literates.	Proportion of the voting population to total.	Remarks.
			Per cent.	
Caste Hindus . .	9,454,687	...	80	
Moslems . . .	1,607,556	...	12·6	This percentage is poor.
Christians . . .	870,000	...	7·25	Do.
Europeans and Anglo-Indians.	21,000	...	...	

As shown in the above tabulated statement, if voting strength to be secured is in proportion to the total population of the community (neglecting those below 20 years) the caste Hindus get 80 per cent. in the enfranchised list which must be brought down to 50 per cent. at the least. The Muslim voting strength comes to 12·6 per cent. It means the entire Muslim and Christian population above 21 years of age must be given the franchise. Different franchise qualifications must be adopted as far as possible.

(*c*) Of course in advanced democratic countries, property qualification as such is in fact an anachronism in prescribing qualifications for exercising the franchise. India's case is a bit different. In a predominantly agricultural country, where people are welded to lands and houses, some qualification is essential and we have no use for globe trotters both in the electorate and in the elected. The existing qualification is quite suitable but as the agriculturists are small holders, modifications are necessary to bring the percentage between 10 and 25. I have already indicated the modifications suggested as answers to (*a*) and (*b*) under the head "Extension of Franchise".

(*d*) I am not at all in favour of a purely literary qualification, independent of property. I feel there is no meaning in enfranchising a man of 25, though a graduate, who has not secured an independent living or who has not settled to any work. I will insist on the payment of some rates or other even though without property, or an annual income of not less than Rs. 240 per year in urban areas and Rs. 180 in rural parts.

(*e*) I am generally in favour of showing the maximum concession to military men of whatever rank or grade and will not insist on both literacy and property.

3. WOMEN'S SUFFRAGE.

(*a*) I find from the figures supplied—

Total married females above 20 . . .	7,984,612
Total widows	4,213,519
Estimated literates over 20	589,000

I may be permitted to state frankly that this enfranchisement of females comes from advanced women graduates, manufactured by the Indian universities and that is purely an urban movement. Franchise privileges are not demanded even by men in rural areas, still less so is the case with our rural ladies. I admit that as we educate our rural masters, so we are bound to educate our rural mistresses. As an election agent from 1919, I have amusing recollections how our lady voters in rural areas exercise their franchise,

• Memorandum by Mr. V. SUBBUSESHAN. [*Continued.*

but practical difficulties in the administrative field, the innate modesty and conservatism of our ladies, their general tendencies, etc., may not convince our western educated ladies that the so-called enfranchisement is pure delusion still I am prepared to consider the question, as an inevitable nuisance and make the following suggestions:—

(*a*) All married women above 25 years of age if they own any property of their own right either as Sridanam or gift, etc., and pay any rate or tax either in an urban or a rural constituency may be given the vote.

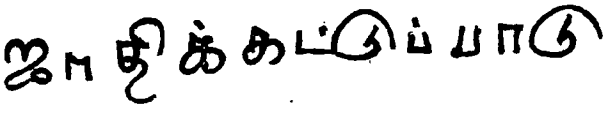
(*b*) I am not for enfranchising all married ladies as such, because in 80 per cent. of the cases it is weighting the husband's vote.

(*c*) I am quite willing to consider the case of the widow above 21 years of age. She is an independent unit, just like the male voter. If she is the owner of property in her own name or if she enjoys an annual income by way of salary or pays her rent as a lodger, she is fit to exercise the franchise. As a class, these ladies are shrewd and businesslike. In their case, I will not mind even if they are illiterate.

(*d*) Insistence on an educational qualification may narrow down the electorate. Personally I do not mind, narrowing it but if the literary test is insisted on, I would put it at the lowest, say the Vth class standard, but this need not apply to widows but only to married women or spinsters (a class very rare in India).

(*e*) The present electoral strength is 127,969. The estimated literates over 20 is 589,000. In addition to this figure, widows with property qualification and married women with property on their own right may give another 4 lakhs. The total enfranchised under this item may be kept at a million for the present. Even in this number, I am sceptical whether 25 per cent. will take the trouble to go to the poll, especially in rural constituencies.

(*b*) Evidently, this question is framed, without realising the immense administrative difficulties to be overcome before separate women groups are brought into existence. I do not think it will be administratively feasible. It will be better to arrange men and women together in groups of 50 or 75 and ask them to choose one as a voter. The question evidently presupposes the existence of corporate political life which is not present. As I had shown elsewhere that the group must be constituted on the basis of subcaste or occupation. The group electors will be the premier men of the subcastes. Voting will take place on that basis. Hence there is no necessity to separate the men from the women. The caste pledge



is a potent agent and can be utilised for grouping primary electors both men and women. In urban constituencies, the lady voters need not be grouped but may be permitted to vote directly, if they satisfy the tests completely.

4. DEPRESSED CLASSES.

A candidate to represent the depressed classes must belong to the depressed classes communities as notified by the Governments in their Grant-in-aid Code. There are intelligent and substantially wealthy men in these communities. So far they have not come forward to contest elections, because of the caste prejudice. Even after the franchise qualification is

extended in the directions indicated, I do not think any adequate representation of this class can be secured in a general electorate. Certainly they will exercise their franchise but not for one of their own order. It is with a view to better their representation, the group system must be adopted, at least in rural areas. Kindred groups may be brought together and the candidate for election must be in that group. The caste Hindu and the Brahmin must be strictly excluded from contesting these seats. Still I am at a loss to suggest how to organise this large mass of humanity, scattered in towns and villages for election purposes into compact constituencies. Still the difficulty can be minimised by the following steps:—

(*a*) Preparation of a separate electoral roll on the basis of property and payment of rates and taxes by the more wealthy members of the different sections.

(*b*) The roll is to contain both urban and rural voters of the kind mentioned in (*a*).

(*c*) The candidate for election to be nominated and seconded by the members on the rolls.

(*d*) Separate polling booths as in the case of Muslims and Christians.

(*e*) The women qualified elector to vote with the men.

May I be permitted to make the suggestion to continue the nomination method for some time, care being taken by the Government to nominate one representative from each one of the depressed classes or two even from the 25 districts as shown under:—

Ganjam—2 Kols.

Vizag.—1 Barber.

Godavari—2 Washermen.

Krishna—2 Pallas.

The advice of the District Magistrate and an Advisory Council may be sought by the future cabinet in making these nominations. A compact representation of 50 men can be secured. I admit this is no election, but it is securing adequate representation nevertheless. An experiment may be tried in creating separate constituencies for 50 per cent. of the depressed classes seats and the other 50 per cent. may go by nomination for the time being. I am completely sceptical about any genuine depressed class man winning even one seat in a general constituency. It may be considered as an unduly pessimistic view, but I am sure the next elections will prove that I am not far wrong in my estimate. I favour nomination generally in the case of depressed classes.

5. REPRESENTATION OF LABOUR.

(*a*) *Representation of industrial labour.*—Industrial labour is organised on a Trade Union basis only in urban centres and it is found generally in (*a*) textile industries especially in cotton, (*b*) in transport like the railways and the post office. In addition to these organised industries, there are hundreds of industrial workers in various urban centres, in the printing trade, in tailoring, boot making, carpentry in small workshops—salesmen in retail shops, etc. Men employed in these trades are yet to organise. Considering the nature of the franchise qualifications, proposed to be introduced, many may go without votes. I consider that here is a good field to experiment on the primary group voters, selecting labour voters, from among themselves, to exercise the franchise. I suggest—

(1) Membership in a trade union registered under the act and the payment of an annual subscription of not less than Rs. 6 per year to a registered union to be the qualification for a primary voter to vote for a labour voter.

(2) The labour voters in industrial centres to form a separate constituency.

(3) The unorganized trades in each urban centre, generally a municipal town, are to select on a group basis of 50 or 75, their own voters. All persons in an industry or trade with at least four years' experience and above 21 years of age are to be primary voters for these occupational groups.

(4) All the electors are to be brought under one common roll.

(5) The candidate standing for election must be one of the elected group voters. Organisers of trade unions, honorary workers and paid propagandists who do not belong to a trade or industry must be strictly excluded.

(*b*) *Agricultural labour.*—For the time being, I do not suggest separate representation for agricultural labour as such. If adequate protection is granted to the depressed classes interests from which quarter this labour is largely drawn, it may be sufficient to protect their interests for the present.

(*c*) *Plantation labour.*—My acquaintance with plantation areas is *nil* and hence I am not in a position to make any suggestion regarding plantation labour.

II.—THE FEDERAL LEGISLATURE.

(*a*) The Federal Structure Committee practically constitutes each Provincial Legislature as the electorate for the election of the members for the Federal Second Chamber. That is naked indirect election with a vengeance. At least the present method of electing members to the Council of State is a direct method, though on an absurdly restricted franchise. I feel inclined to reject the Federal Structure Committee's recommendation and recommend an extended use of the present practice.

(1) I suggest the division of the Presidency into four or five Circles and allot between 3 and 5 seats for each Circle reserving 1 seat for Madras.

(2) The election of the members is to be by proportional representation by the single transferable vote.

(3) The franchise qualification should be lowered in such a way to include not only owners of property but eminent scholars, statesmen, professors, medical men and other distinguished professions. It need not be confined as at present to *ex*-Municipal Councillors and district board members and payers of Rs. 2,000 kist to Government.

I suggest a reasonable higher franchise and direct election for the Federal Second Chamber.

(*b*) The franchise qualifications must be different, slightly higher than what is required for Provincial Legislatures. The present high qualifications must be lowered on the property side. I would also recommend a high literary qualification, say a degree, or a high technical certificate with the payment of income-tax or profession tax or the payment of an annual rental of Rs. 300 per year, in lieu of property. There has been a widespread feeling, especially in urban constituencies, that the franchise for the Delhi Legislature (Lower House) has been unnecessarily restricted to property-holders. The franchise may be extended and as the taxable minimum is lowered to Rs. 1,000 per year, there may not be much difficulty on the administrative side, to rope in all the tax payers and bring them on the electoral roll. I would suggest the following modifications:—

(1) The present property qualification of Rs. 20, house tax to remain.

(2) A professional tax of Rs. 8 per year.

(3) Payment of income-tax of not less than Rs. 30 per year.

(4) Payment of an annual house rental of Rs. 300 per year.

(5) Qualifications (2), (3) and (4) to be accompanied with a high literary qualification.

These qualifications are to apply to urban voters. In rural areas, the kist payment line may be lowered to Rs. 30, to bring in a reasonable number of small holders.

(*c*) Creation of a compact territorial constituency in rural areas for direct election is rather difficult in India and indirect election by secondary voters must be considered as a practical proposition. To this difficulty, an answer has been provided in the group elector, who exercises the franchise to the Provincial Legislature. It is possible to create out of these group electors, a third degree of voters to exercise the franchise to the Federal Legislature. It is a complicated business but the electorate will be small. This must not interfere with the liberty of voters both in urban and rural areas who can cast an intelligent vote because of other high qualifications.

I am in favour of direct election by the rate and tax-payers within municipal limits both for general and communal constituencies. I am also in favour of the same in rural areas to a restricted extent. If there is going to be pure indirect election, many qualified voters may not relish the idea of being primary voters to elect others. The representative character of the Federal Legislature will be subject to hostile attacks. The sense of responsibility in the primary elector is not increased thereby. I strongly urge direct election wherever possible, with the group voter coming in to voice the really incompetent primaries.

Creation of Constituencies.

Non-Muhammadan Rural . .	13	(One member for two districts.)
Muhammadans	4	(North, Central, South and West.)
Indian Christians . . .	3	Ditto.
European	1	
Madras Landholders . . .	4	(Northern Districts, Central Districts, Southern Districts.)
Madras Europeans . . .	2	
Madras Indian Commerce . .	2	
Madras combined Universities .	1	
Madras Labour	1	
Madras depressed classes . .	1	
	32 seats.	

7. REPRESENTATION OF LABOUR, WOMEN AND DEPRESSED CLASSES.

I have suggested nomination for the depressed classes, even in the Provincial Legislature. There is a possibility of depressed class representatives contesting the seats in non-Muhammadan rural areas, failing which, one may be nominated by the Local Government. So also with labour. There is no necessity for separate women representatives in the Federal Legislature. If need be, let them take their chances in the general Hindu rural constituencies along with men. Considering the nature of interests and the number of interests that clamour for representation I do not see how nomination can be entirely discarded. Some discretion must be vested in the Local Government to exercise its power to satisfy unrepresented interests like labour.

Memorandum by Mr. V. SUBBUSESHAN. [*Concluded.*

If it is possible for the Indian Franchise Committee to suggest to His Majesty's Government through the Working Committee to enlarge the Federal Legislature to contain at least 400 members, it may be possible to satisfy every one and every interest. Four hundred is not an unreasonable number for India's First Federal Lower Chamber. It is not necessary to pay first class travelling allowance and Rs. 20 halting allowance per diem. I wish the Provincial Franchise Committee brings this aspect of the question fully before Lord Lothian, as he has stated that the Federal Structure Committee's conclusions are only tentative and meant for guidance.

8. GENERAL OBSERVATIONS.

Since the Reform Act of 1919, we have had four general elections and I dare say that the candidates have spent enormous sums of money to win the seats at elections. Money played a prominent part. The wealthy man, with or without local influence had generally won both in the big constituencies and in pocket boroughs like the landholders. The vote was given for the person. There were no addresses made to the constituencies. Candidates did come into contact with prominent local men of the villages who generally canvassed in favour of this candidate or that. Party organizations did not exist. Even rural Congress organizations in Madras are barely three years old. Votes are gathered in lumps. Candidates generally favour the villagers by fair promises which they know will not fructify.

The real trouble in the polling booth arises when the illiterate voter comes to record his votes. Even though he is well tutored by the agents to mention the names of two or three out of a big list of eight or nine candidates, he generally forgets those names and mentions some names not in the list. The polling officers are put to considerable worry. This happens in the case of at least 50 per cent. of the electors in rural constituencies. The introduction of some kind of group voting by secondary electors is sure to minimise this evil.

I think the rural voter now knows what is expected of him, though it was not the case during the first two elections. There is no difficulty in getting him to the polling booth, but he expects some pecuniary compensation and is anxious to assess his vote at a high money value. The conception that it is a duty as well as a privilege has not entered his mind. I regret to note that this attitude is taken advantage of by wealthy candidates who are prepared to spend to get the dignity of being an M. L. C. A strict control over election expenditure, reducing it to the barest necessity, the growth of political organisations with branches in the villages and the growth of general education may mitigate this evil in course of time.

I would urge separating polling booths for women in rural constituencies and if possible women polling officers. This will encourage many women voters to go to the polls, especially in rural areas.

PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*h*) I am not prepared even to entertain the suggestion contained in question (*h*), if direct election is to be done away with even for provincial legislature. Of course it may be advantageous from an administrative standpoint to have a narrow electorate (in rural areas). It has been provided for group electors. The suggestion, I am afraid, is decidedly reactionary and I fervently hope that the Franchise Committee will give it up.

(*i*) and (*j*) Hence answers are not necessary for questions (*i*) and (*j*).

Mr. V. SUBBUSESHAN, M.A

1. *The Chairman:* You come in your individual capacity?—I do not represent any association. I come as an individual.

You say in your statement " at present a class of public servants like the Sub-Inspector of Police, Sub-Registrars, Station House Officers, Rural medical men, vaccinators, elementary school masters, local fund overseers and maistries and other similar officials, stationed in villages which are not local fund unions either major or minor, have no means of exercising the franchise because they do not pay any tax whatever ". What exactly do you mean by this?

2. *Diwan Bahadur Ramaswami Mudaliyar:* As a matter of fact that statement is quite incorrect.—(*Witness*): In non-union areas, I don't think that any of these officials pay any tax whatever. If they happen to be in local areas.....

3. In local areas they pay.—Officials located in villages don't pay any tax, I think. For example, I have a Sub-Register in my own village. He does not pay any tax whatever. Probably he may be paying income-tax.

4. *Mr. Muthiah Mudaliyar:* Income-tax is a qualification?—Sub-Registrars getting a salary of less than Rs. 100 a month don't pay any income-tax.

5. Under the new Local Boards Act all people who pay any tax come in. Have you seen the electoral rules now prepared by the Local Boards?—No.

6. *The Chairman:* I see that you say that the idea of the group system appears to you to be admirable. Would you abolish the existing direct system altogether?—I do not want to abolish direct election completely.

7. What you mean is that you take that part of the population which is not enfranchised and group it together in order to give it some vote?—Yes.

8. Would you explain very briefly the method by which you would group them?—In most of the big villages we have a large number of these small sub-castes and communities classified under the Government educational rules. Grouping can be done on the basis of that caste sub-division. In a village consisting of a population of 2,000 we may have nearly 40 to 50 families and each family may constitute an electoral unit and elect one secondary voter. This group would constitute an electoral college for 500 to 600.

9. You will make the family and not the caste a unit?—That will include the sub-castes.

10. Under the heading of depressed classes you say candidates for election must be nominated and seconded by members on the rolls. You mean to say that the only persons who would be elected for the depressed classes constituency will be men on the roll of the depressed classes. Is that correct?—Yes.

11. *The Hon'ble Mary Pickford:* With regard to women's suffrage you say that the demand for the vote comes only from a small proportion. Would you agree, as the history of all countries has shown, that the demand for the franchise is always voiced first of all by an infinitesimal minority?—I should very much like to create first of all the conditions necessary for favourably considering the question of enfranchising the ladies. The conditions are not favourable at present.

12. I see you say that you would be satisfied if the total number of women enfranchised is kept at a million for the present. You have seen the proposals put forward both by the Provincial Franchise Committee and the Madras Government which suggest the enfranchisement of some 900,000

women?—I have seen the proposal, but I am extremely sceptical of bringing all these enfranchised ladies to the polling booths.

13. But still as you say you want the total to be kept at one million at present, you would not disagree with the proposal?—I do not quite disagree with the proposal, but I simply suggest the practical difficulties in bringing these lady voters to the polling booths.

14. *Sir Muhammad Yakub:* You are in favour of the group system. What is the number for the group that you propose?—I will put down the number at 75 or so. It may be even 100—100 primary electors electing one secondary elector.

15. Do you think it would be feasible to elect one representative out of a large group of 100?—Consistent with the percentage that we are anxious to bring in—between 10 and 25 per cent.—I think that would be absolutely essential.

* * * * * * * *

16. *Mr. Butler:* You mention something about expenses in your general observations. Can you tell us how much it costs in an average constituency here for a member to be returned?—Ordinarily, if the candidates are not sufficiently influential in the district and if they have not got considerable support in the rural areas, they generally spend between 10 to 15 thousands. I think that is a modest estimate.

17. That is for a non-Muhammadan constituency?—I am confining my remarks purely to the Rural Hindu constituencies.

18. Have you any idea about a Muhammadan constituency?—Probably in a Christian or Muhammadan constituency the expenditure might be a little bit less. But in a Hindu constituency the expenses are simply alarming and there is even the likelihood of people practically ruining themselves by these constant elections unless they get themselves returned without any contest.

19. *Dr. Ambedkar:* Under (*b*) speaking about the grouping of men and women you say "as I had shown elsewhere that the group must be constituted on the basis of sub-caste or of occupation. The group electors will be the premier men of the sub-castes. Voting will take place on that basis. Hence there is no necessity to separate the men from the women. The caste pledge is a potent agent and can be utilised for grouping primary electors, both men and women". What do you exactly mean by this caste pledge?—We find that in every village we have got a small organization called *patri*. Whenever any question affecting the village comes up for discussion the caste people, the prominent men, decide it. In each *patri* we have got the so-called primary voters and the primary voters act at the bidding of the head of the *patri*. What happens with reference to the men primary voters also happens with reference to the female primary voters and consequently I think that it is possible to group both these together. Invariably they adhere to the prominent individual or individuals in that *patri*.

20. Would you get women as secondary voters?—It is too difficult for the women to get representation under this combination.

21. It would not be possible for women to come out as secondary voters under the group system?—It is too difficult for them.

22. *Lord Dufferin:* How many people would be enfranchised under your proposals for the Federal Legislature?—Three times the present number.

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23. *Sir Sunder Singh Majithia:* You have said just now that expenses in connection with an election sometimes come to Rs. 10,000. Am I to understand that that is shown in the list of expenses that a candidate has to submit to Government?—He does not show that.

Memorandum submitted by Mr. A. RANGASWAMI AYYAR, B.A., B.L., Advocate and President, Madura-Ramnad Agricultural Association, Madura.

I.

In framing a scheme of franchise qualifications, every person owning requisite property or making certain contribution to the revenues of the State, or who is otherwise qualified should be enabled to have a voice in the election of representatives to the Provincial Legislature. In enabling that person to have such a voice, it does not follow that he should always vote singly, giving his individual vote to a particular candidate to the Provincial Legislature. It will be quite sufficient if he is in a position to take part directly or indirectly in the election. For effecting the above object, it will be both advisable and necessary to strengthen the rural element in the public life of the country, as such rural element has receded both in its political capacity and influence behind the urban element during the past fifty years. As the majority of the population of the country live in villages, and as the village was once a stable and powerful unit of administration and organisation in this country, it is desirable that the broadening of the scheme of franchise qualifications should be suited to the political genius of the people, which manifested itself in the old village communities, whose functioning in a stable manner continued until it was weakened if not altogether paralysed by the more centralized British administration, and the introduction of ryotwari settlement which it inaugurated.

In resuscitating the old village communities it would not be possible to do it satisfactorily at the present time without such modifications as may be necessary to adapt them to modern democratic ideas. If we simply extend the franchise as it is at present, and bring in mechanically a larger number of voters into the elections, most of whom are illiterates they would easily play into the hands of political adventurers, who will take advantage of their lack of political knowledge and experience. The masses of the people in our Province or for the matter of that in the country as a whole are not less intelligent than others similarly circumstanced in other civilized countries, but until a national scheme of education free and compulsory, extending over a number of years, is allowed to operate on the masses, and to leaven their intelligence with the modern political sense, they may not be able to exercise their voting privilege to the best advantage of the country. Besides it would be desirable in such a country like India, which is economically poor, and where the best brains, sacrificing public spirit, character, and political capacity are not as a rule associated with wealth and rank, it will be in the interests of the public that the electorates are not made unduly large and administratively unmanageable, and electioneering labour and expenditure made so high as to debar all except those who are wealthy from standing as candidates for seats in the legislatures. Democracy is not foreign to Indian genius but the modern expression of it must be adapted to Indian conditions to be of the greatest advantage to the country. Both direct and indirect methods of election may be so combined that their accumulated results become beneficial. Provision can be made for periodically reviewing their relative efficiency in reflecting sound popular views, and developing amongst the people an increasing sense of responsibility. In the light of the experience gathered by such periodical examination, their relative strength and proportion can be modified and adjusted, until in course of time a combination of direct and indirect elections may range from the lowest unit of village administration, *i.e.*, a village council or panchayat, ascending through the sub-district or taluk board or the municipality, on to the district council or district board, and the Provincial Legislature, ultimately culminating in

Memorandum by Mr. A. RANGASWAMI AYYAR. [*Continued.*

the Federal Legislature with their respective graded functions and franchises. Now it is piecemeal work to deal with Provincial and Federal Legislatures with its disadvantages.

With the above introductory remarks, my answers to the questionnaire are as follows:—

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF FRANCHISE.

(*a*) The existing franchise for the Provincial Legislature can easily be extended so as to include 10 per cent. of the population in the electoral roll by simply enabling the 4,890,495 voters, now voting on the new municipal and local boards franchise and on Madras Corporation franchise, to become voters in the elections of the Provincial Legislature. The above number is little more than 10 per cent. of the total population.

(*b*) Such an electorate may be capable of casting its vote in elections to the Provincial Legislature in as intelligent a manner as it is doing at present in municipal and local board elections. But I should like to see that it is more efficient and discerning inasmuch as there would be full provincial autonomy and responsibility in the Province.

(*c*) If there be as many constituencies as there are at present, each would comprise on an average about 80,000 voters, which would be administratively too big to be managed without undue expense, strain and stress both for the Government machinery and also for the political parties and candidates concerned.

(*d*) The electorate can be made more manageable by adopting both direct and indirect elections as detailed in paragraph 1 (*f*) and (*h*) hereunder.

(*e*) The electorate can be still further enlarged by extending the franchise to men and women of certain educational qualifications though owning no property, Members of Chambers of Commerce, those on the managing committees of co-operative societies and trades union councils, and wage-earners earning not less than a certain amount per month, who are not otherwise qualified to vote.

(*f*) *and* (*g*). Direct election should be held in municipalities where every person entitled to vote on new municipal and Madras Corporation franchise will be qualified to take part in election to the Provincial Legislature. To these voters may be added those mentioned in paragraph (*e*) above, the particular educational standard required being high school standard and wage-earning capacity being Rs. 25 or more per mensem. The municipalities in a district may send a representative to the Provincial Legislature at the rate of 1 per 100,000 inhabitants. For this purpose, the municipalities in a district may be grouped together, so that each unit group may form an aggregate of about 100,000 entitled to send one representative to the Legislature.

In the non-municipal areas, indirect voting and adult franchise should prevail. Each town or village having 500 adult inhabitants should send one representative to the secondary group of group electors. Electoral areas can be so distributed that for each electoral area there are about 100,000 adult inhabitants sending 200 such representatives, voting at a particular centre. Such a system of indirect election will be manageable. The constituencies for indirect election will thus consist of non-municipal areas in a district, while municipal areas will adopt direct voting.

(*h*) If separate constituencies are framed for group electors, only group electors should be qualified to stand as candidates for such constituencies.

(*i*) As the distances in non-municipal areas would be great, I would limit the size of a group to 200 representing 100,000 adults both male and female. Since these groups would consist of towns, villages of 500 and

more adult inhabitants, and collections of villages of at least 500 such inhabitants, I would leave the framing of these groups to Government who may make them coterminous wholly or partially with similar groups for revenue purposes.

(*j*) I would require the following special or similar qualifications for persons chosen by such groups to secondary groups:—

(1) Educational qualification up to High School or similar grade, or
(2) Payment of income-tax, or
(3) Being owner or occupier of land paying a tax or rent of not less than Rs. 25 per mensem, or
(4) Wage-earner earning not less than Rs. 25 per mensem, or
(5) Member of a local board or Chamber of Commerce, or member of the managing committee of a co-operative society or a trade union council.

2. FRANCHISE QUALIFICATIONS.

(*a*) This disparity which at present exists in the operation of the franchise qualifications in urban as compared with rural areas is more due to the better political knowledge and capacity of the urban as compared with the rural voter rather than in their respective franchise qualifications. The introduction of indirect election in rural areas would to some extent remove this disparity. The rest will be removed by education and practical experience.

(*b*) I am not in favour of the franchise system being manipulated to suit the varying levels of qualifications of members of different communities; since the interests of the State are paramount and therefore above the interests of the several communities composing it, the minimum qualification for each voter should be uniform and identical for the different communities. But assuming that communal electorates of some sort are retained, each community may send representatives to the Legislature proportional to its population strength, though the voting of a less advanced community may be less than that of a more advanced community. Communal representation if valid demands only a representation proportional to the strength of the community concerned but does not require that such representatives should be elected by a proportionately larger number of less competent voters in one community than in another.

(*c*) In both direct and indirect elections, I would deem it advisable to require from the voters taking part in the election of a member to the Legislature, the possession of the above or similar qualifications of some kind as a suitable test of fitness.

(*d*) I am in favour of introducing a qualification based on education for men and women independently of property. For example, High school or similar standard for Provincial Legislature and University or Graduate standard for Federal Legislature.

(*e*) I am not in favour of retaining the Military service qualification.

3. WOMEN'S SUFFRAGE.

(*a*) The age limit should be the same for women as well as men. It should not be more for women as they are generally more precocious than men.

Municipal qualification in Municipal areas for direct voting, and adult franchise in non-municipal areas for indirect voting and educational and other qualifications mentioned above irrespective of sex will to a large extent remove the disparity without unnecessarily interfering with the uniformity of the same franchise qualifications for both men and women.

(*b*) If group representation is established, the groups should contain both men and women. It is not desirable that electoral rules should tend to men voting for men and women for women. But disparity in the results of election can be rectified by providing that a minimum number of women should be elected or better still, co-opted to the legislature.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

Depressed classes may to a limited extent obtain representation as such both in direct and indirect elections through the scheme formulated above. But the chances of any particular caste obtaining representatives of their own class even if that caste or class be high would not be far greater than those of the depressed classes. But the depressed classes can in both direct and indirect election influence the result of the election considerably by their votes in direct election and by their part in out-groups in indirect election. But in order to ensure the election of members of the depressed classes to the Provincial Legislature, I am not averse to a certain number of seats being reserved to them, or better still, co-opted by the Legislature as in the case of women.

5. REPRESENTATION OF LABOUR.

Labour has no such social disability as can be alleged against depressed classes. I would provide that if it be found that labour is not sufficiently represented in the Provincial Legislature after the results of the general election are known, certain seats may be co-opted by the elected members for representing labour as in the case of women and depressed classes. Such co-opted members may be chosen from the particular classes insufficiently represented, whether industrial, agricultural or plantation labour.

II.—FEDERAL LEGISLATURE.

(*a*) A certain member of the Upper Chamber may be selected by the Provincial Legislatures by a single transferable vote. Similarly a certain proportion by the Lower Chamber and the rest by the Governor General in Council on the advice of the Ministry.

(*b*) The franchise qualifications should be different for the Federal and Provincial Legislatures, as the former would deal with subjects generally more national and comprehensive than the latter. The same method of direct voting in municipal areas where the votes are compact, and of indirect voting in non-municipal areas where the voters are diffuse and would be divided by large distances should be adopted. For direct voting those entitled to franchise would be (1) graduates, (2) payers of certain property, profession or companies tax or of Income-tax, (3) members of Chambers of Commerce or councils of trade houses or managing committees of co-operative societies.

For indirect voting by members of out groups in non-municipal areas, the franchise should be modified, *e.g.*, (1) by including persons of educational qualification up to the high school or similar standard, (2) payers of income-tax, (3) owners and occupiers of houses of certain annual letting value, (4) owners and occupiers of lands paying similar taxes or rent, (5) members of Chambers of Commerce or councils of trade houses or managing committees of co-operative societies, (6) wage-earners earning not less than Rs. 20 per mensem.

The above combination of direct in municipal areas and indirect voting in non-municipal areas would make the constituencies manageable. This would necessitate separate representation for these different areas.

Memorandum by Mr. A. RANGASWAMI AYYAR. [*Continued.*

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

Ultimately I would like that women, labour and depressed classes do not have special aids to their representation in the legislature. In the initial stage for a limited period, I am not averse to their representation being effected by co-option by the members of the Federal Legislature after the results of the general election are known, to give them a prescribed minimum number of seats.

8. GENERAL.

I would reserve any observations of mine under this head to oral examination for which I offer myself.

II.

I.—PROVINCIAL LEGISLATURE.

With reference to the revised questionnaire, I have the honour to supplement the answers which I have already sent to you with the following further answers :—

(*a*) I do not consider that there is such a marked disparity between the urban and rural areas which can be ascribed to the operation of the franchise qualifications.

(*b*) I am not in favour of giving to each community a voting strength proportionate to its members and of adjusting the franchise system to secure this result. I do not agree with the suggestion mentioned in the question.

(*c*) At the present time in the absence of adult franchise, possession of property of some kind in its widest sense is a suitable test of fitness for the franchise.

In my previous answers I have suggested direct elections in municipal areas. As regards municipal areas I have suggested that the new franchise of municipal voters voting in municipal elections may be adopted for voting for Provincial Legislature. The qualifications for a voter in the municipal area for the Federal Legislature will have to be raised above those for voting for Provincial Legislature. If adult franchise is given to primary voters in rural areas as regards Provincial Legislature, the new franchise for voting in local board elections may be fixed for primary voters for federal legislature in rural areas while the qualifications for being elected to secondary groups taking part in elections to Federal Legislature in rural areas will have to be raised above those fixed for representatives in secondary groups in rural areas electing to Provincial Legislatures.

(*d*) I am in favour of introducing a qualification based on education independently of property and I have suggested the educational qualification of a graduate or similar stage for electing to the Federal Legislature and high school grade for Provincial Legislature.

(*e*) I am not in favour.

3. WOMEN'S SUFFRAGE.

(*a*) I am not in favour of increasing the women's electorate in the ways suggested. If adult suffrage be introduced for primary electors electing to secondary groups in rural areas as I have suggested in my previous answers, the serious disparity between the number of men and women voters existing at present would be considerably diminished, without seeking to frame separate qualifications for women different from men. I would fix the same age limit for men as well as women and the same educational qualifications for both. The disparity between the number of men and women voters in municipal areas will continue to exist. But if such disparity

Memorandum by Mr. A. RANGASWAMI AYYAR. [*Concluded.*

results in not sending sufficient women representatives to the Legislature, the best way of remedying the defect is by having recourse to co-option referred to in (*c*) *infra*.

(*b*) The groups should contain both men and women.

(*c*) To make up for the presence of a percentage of women representatives in the legislature including the women who have entered it through election, I am for co-opting women representatives to the extent of that percentage. I have referred to this in my previous answers. What this percentage should be would have to be fixed after consideration of the question whether co-option would be extended to other classes or interests and if so to which. A limit will have to be set to the total limit of co-opted members.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

I would limit the depressed to those called untouchables. Some of the so called depressed classes are found to be politically strong since the Montford Reforms. Some classes have ceased to be "depressed" and have gathered influence even more than some of their former "depressors.". Old social cleavages are rapidly becoming things of the past. I would include amongst the untouchables Panchamas or Adi-Dravidas, and castes similar to them. It may perhaps happen in the initial stages that a sufficient number of representatives belonging to the depressed classes may not be elected to the legislature. In my scheme of indirect election in rural areas the depressed classes would have equal opportunity with other classes to take part in electing representatives to secondary groups. Therefore they can by the weight of their numbers, the qualification being adult franchise, influence the election by their primary votes to the secondary groups. That is a substantial advantage gained. To enable the representatives belonging to the depressed classes entering the legislature up to a percentage, I am not in favour of formulating another group system complicating the electoral machinery; but I am not averse to co-option being resorted to as in the case of women as a temporary measure.

5. REPRESENTATION OF LABOUR.

If the widening of the basis of suffrage in general constituencies even after allowing adult franchise in indirect elections, and making wage-earning of a certain amount, a qualification for voters giving their votes in municipal areas or in secondary groups, does not provide for adequate representation of labour, I am not averse to the deficiency being made up by local option as in the case of women and depressed classes, as a temporary measure. Such seats filled up by local option can be distributed between industrial, agricultural and plantation labour according to their respective strength, etc.

REPRESENTATION OF SPECIAL INTERESTS.

A constitution must be devised now with as few abnormal features as possible which must evolve into a sound one as early as possible. For that purpose I am against the representation of special interests. Every special interest should seek representation through general electorates. If any special interests are insufficiently represented in the legislature after general election and if these special interests be fixed beforehand, seats to represent them up to a certain minimum limit should be filled up by co-option as in the case of women, depressed classes, and labour. It may be found as a matter of fact that commerce including even European, landholders, etc., would get due representation in the legislature through general electorates. If mining and planting do not get their representation through general electorates, and if it is thought necessary that they should have such special representation which does not follow as a matter of course, I am not averse to give such representation by co-option.

Mr. A. RANGASWAMI AYYAR, B.A., B.L.

1. *The Chairman:* You come in your personal capacity?—I have informally consulted the office bearers of the Association. I did not call a regular meeting.

2. Which association?—The Madura-Ramnad Agricultural Association.

3. You are strongly in favour of the indirect system in the rural areas?—Yes.

4. You believe in direct election for the urban areas?—Yes, for the municipal.

5. Would you abolish the existing direct vote altogether and substitute a wholly indirect system?—In the rural areas for the present.

6. Would you abolish the existing direct vote?—Yes.

7. And substitute a wholly indirect system?—Yes.

8. Could you give us very briefly your reasons for that?—Now, if the franchise is extended according to the 10 per cent. ratio I find that there would be about four million voters. Suppose they are distributed amongst 24 districts and the average taken—one district differs from another—I calculate that there would be, taking roughly, about 190,000 voters for each district. That would be unmanageable. Now, we have got about 50,000 voters. I will take the Madura and Ramnad Districts. In Madura District they had no contest in the last election. There were a number of candidates but the difficulty of carrying on canvassing was so great that they managed to see that all withdrew except the required number. Three came out without any election. In the Ramnad District for two general elections we had no contest. A number of candidates had been put forward, but just before the election time we found that the surviving number of candidates represented the number to be elected. That being so with regard to 50,000 electors, if you look at 190,000 the difficulty will be all the greater. Therefore I would rather like this indirect election. If this indirect election prevails, we can have as many candidates as possible. Now we feel the loss of educative value of a general election. That is one reason.

I do not quite understand why you say there will be 190,000 voters in a constituency?

Diwan Bahadur Ramaswami Mudaliyar: That is on the basis of the present multiple member constituency.

9. *The Chairman:* Do you know of the suggestion that has been made by the Provincial Government and the Provincial Franchise Committee which proposes to raise the number of seats to between 200 and 220 and lower the franchise so as to enfranchise about 5½ millions. That would mean a constituency good deal smaller than that?—It would be more than the present constituency.

10. Single member constituency?—I should prefer to have a multiple member constituency. Why I prefer it is because a single member constituency will not attract the best persons to the Council. The district will have to be partitioned into electoral areas and various constituencies. I would rather like that we should have people coming from all parts of the districts. Therefore a single member constituency will be a disadvantage as regards political education and attracting the more competent people into the Legislative Council. This would be the case if there was a multiple member constituency.

11. What is the second reason? Is it that the number is excessive?—The second reason is that I am in favour of villages coming into their own as separate units. By means of this indirect system I could bring back the villages to their own corporate sense of unity.

12. Would you make the village itself a unit?—Yes, provided it has the minimum number of adults. If there be a lesser number I would group together neighbouring villages.

13. Would you give to each village numbers in proportion to its strength?—Exactly that.

14. The secondary electors would be the electorate for the Council?—Yes.

15. How will you conduct the election in the village?—As in the old days, I would collect them in one place and get them to elect the required number by show of hands.

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16. *Sir Sunder Singh Majithia:* You do not want the military service qualification?—I do not want it because military service may at best show that a man is a good soldier; what is the guarantee that he would exercise the civic franchise properly? It depends upon certain qualifications. I would recognise his military experience for military purposes. For the franchise you must have the same qualifications for all.

17. Do you mean to say that military questions will not be referred to in the Council at all?—I do not give him a vote because he must have a voice in the military matters discussed in the Council. If at all a vote is proposed to be given to him it is with the idea of rewarding him for his services to the nation.

18. Therefore it is not necessary that he should have a vote?—He would have his vote on other considerations. If he owns property or occupies land or has a literacy qualification, just like anybody else, he would have the vote.

19. Not on the basis of military service?—No.

20. You have said at one place that wage-earners earning not less than Rs. 20 per mensem should have the vote?—Yes.

21. At another place you say that wage-earners earning Rs. 25 should have the vote?—This is for election from the groups.

22. May I take it that these groups are meant for the Legislative Council?—No. Persons chosen by such groups are sent to secondary groups.

23. Why have you made this difference?—According to my scheme every adult is entitled to a vote for the provincial legislature either directly or indirectly.

24. *The Hon'ble Mary Pickford:* I see you favour the co-option of a small percentage of women to the Council?—Yes.

25. Do you not think that the method of co-option might discourage women from standing as ordinary candidates in the general electorate?—I desire that as many women as possible should come through the general electorate. This is only in case during the initial stages women are not elected in sufficient numbers. In the interests of women I want to have co-option too.

26. You do not insist on co-option?—They must come primarily through the general constituencies. In case there is no effective representation by means of election, I would supplement their representation by co-option.

27. The suggestion of the Provincial Franchise Committee to give in specially selected urban constituencies the second vote to women so as to encourage them to fight in the general constituencies would be a better system?—The difficulty is to select suitable urban constituencies for the purpose. I therefore would increase their representation by co-option.

28. The Government have put forward another suggestion that only those women who have a vote in a constituency should be returned by that

constituency to the legislature. Would that not discourage them from contesting an election?—The difficulty which I visualise is that a woman in Madura, for instance, may not be able to canvass the votes of women in Ganjam. My plan therefore is to see the result of the elections and then if the necessary number of women are not returned, to get the legislature to co-opt the minimum prescribed strength.

29. You are in agreement with the principle of securing sufficient representation for women?—Certainly.

30. *Mr. Butler:* You do not enfranchise all adults in urban areas?—No. My plan is to have the direct vote and the indirect vote. Since the municipalities would be compact, I would enfranchise all those who come up to a certain qualification. I would then try indirect election with regard to rural areas. After a time I will see the relative merits of these and, if the indirect election does not come up to my standard, I will simply take away the group voting. If, however, the direct election is successful, it can be expanded into adult franchise for all the townspeople. Therefore I want to try both in a manageable manner during the initial period. But there is this compensation; with regard to urban areas we have the direct voting for people who have got lesser qualifications and for rural areas we have got the group voters.

31. Multi-member constituencies have been suggested for the representation of minorities?—Yes.

32. Do you agree that by having groups in the countryside, minorities can have representation and there will be no need for multi-member constituencies in the countryside?—If there are groups, I do not think it would avoid the need for multi-member constituencies. I prefer multi-member constituencies on the ground that I would have candidates from all over constituencies standing for election for the various seats. For that reason I prefer multi-member constituencies and not for the protection of minorities.

33. *Mr. Chintamani:* Mr. Rangaswami Ayyar, don't you think that this differentiation between urban and rural areas by having direct election in one place and indirect election in another place will be a new source of discontent in the rural areas?—I do not think so.

34. Do you think that by the indirect system, primary voters will get any effective voice in determining who shall be their representative in Council?—They could influence the secondary elections. Besides that, as I said in answer to a question by the Chairman, one of my other objects is to see that the village unit is strengthened. If it is done, it will act as a corporate body and it will have a great voice in the election by the secondary group voters.

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35. *Mr. Miller:* Why do you consider that single-member constituencies will not be quite satisfactory?—Suppose my district is divided into four wards. Often-times local influence would have so much sway that people outside would not care to stand for a constituency with which they are not in any way connected. I do not like to have that kind of impediment thrown in the way of a candidate. The whole district must send its representatives. For that reason I prefer multi-member constituencies.

36. *Mr. Tombe:* In your printed memorandum you say this: "(*j*) I would require the following special or similar qualifications for persons chosen by such groups to secondary groups: " * * * * Will you explain it? Would you restrict the selection by primary electorates to the persons possessing the qualifications enumerated by you?—Not all those qualifications but any one of them.

37. Don't you think that under the new rules every person having any of these qualifications is a voter?—This scheme of mine is with regard to adult franchise.

38. You would restrict the selection to those persons who would be entitled to vote under the present franchise?—Any person who pays any tax or occupies land becomes a voter. The rules I propose, would I think, be stiffer than that for secondary voters.

39. You propose higher qualifications than are prescribed now?—It appears like that.

40. *Diwan Bahadur Ramaswami Mudaliyar:* Do you think that the abolition of the direct voters who now number a million and a half will be viewed with equanimity by the whole population of the province?—I want adult franchise to be given. I am not certain how far it will be successful. Therefore I want to proceed cautiously and that is why to begin with I suggest the group system. My scheme has nothing to do with disfranchising the present direct voters.

41. Therefore you would have group system to supplement the present direct system?—I do not want too many complications.

42. Complications for whom?—Complications for the administrator as well as the candidate.

43. What is the complication from the candidate's point of view?—You will have these 50,000 voters and in addition you have got the group voters also. A candidate now has to employ about 250 agents for polling booths. You want him to have another set of agents for meeting these group voters.

44. I am not sure whether you have understood how this supplementary process will take place. There are the present direct voters who will be on the electoral roll. If a system of group-election is held for those who do not come under the direct system they will constitute another set of voters for the Legislative Council. There will be no need for a separate agency for the group voters. The persons chosen by them will come in the list of direct voters and vote at the same polling booths?—I want to see how far the direct system will be successful and how far the indirect system will be successful. I do not want to mix them together. At the end of a certain period we must see which is successful.

45. Supposing the committee were to adopt your suggestion of indirect election; what is the test of success that you will apply at the end of your period of experiment?—The test is to see whether there has been undesirable local influence and whether a voter has exercised his discretion properly.

46. Do you at any time visualise adult franchise directly?—It has been visualised in other countries. Why not in India?

47. Therefore if that is the ultimate ideal, there is no meaning in having an experimental stage with indirect election?—I have my own misgivings and therefore I want to proceed cautiously.

48. I suggest to you that opinion will be dead against the abolition of the direct voters. Do you agree with me or do you disagree?—I do not agree with you.

49. In the last paragraph of your memorandum you have stated that you are against the representation of all special interests?—Yes.

50. That is to say, the mining industry, the plantation industry, the landholders, etc.?—Yes.

51. Do you include the university under this category?—If special electorates are to be abolished, the University also need not have special representation.

52. Have you realised that the tendency in modern times has been as far as possible to approximate to the Soviet principle of vocational representation or interest representation and not to have all interests and vocations merged in a general constituency?—I will give you my reason. In Madura we have got three members to represent us in the local Legislative Council All of them are big landlords. For the Tinnevelly municipality also there

is one member who is a big landlord and for the Tinnevelly rural seat again there is a zamindar. Now, when you have five members from the landholding classes to represent these general urban and rural constituencies, what is the meaning of having a special constituency for the landholders again? It defeats its own purpose. In other constituencies and districts the same is the case.

53. *Mr. Bakhale:* You say that labour has no social disabilities?—Yes.

54. Do you agree that labour has got economic disabilities?—Only in industrial areas.

55. I am talking of industrial labour?—There is the conflict between capital and labour.

56. It means that they have got certain economic grievances?—Yes.

57. Therefore don't you think that industrial labour particularly should be represented in the Council?—If I enfranchise the wage-earning classes, I would liberally see that their interests are safeguarded by co-option.

58. That means that you want to give labour some representation in the Council?—With regard to these special interests, my memorandum will show that I would resort to co-option liberally and not give representation through special electorates.

59. Don't you agree with me that election is a better system than either nomination or co-option?—As wage-earners they are enfranchised and they have got their votes. They can influence the elections and put in the Council the men whom they like.

60. *Mr. Seturatnam Ayyar:* Is it your view that is found in the memorandum under the head "women suffrage" or is it the view of your association?—It is my view and not the view of the Agricultural Association.

61. You state there that the age-limit should not be more for women as they are generally more precocious than men. Is that your view?—It is my view on this question of precocity; and the members of the Association I have consulted are of opinion that the age should be the same for both men and women.

MADRAS.

Dated 3rd March, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE MADRAS PROVINCIAL FRANCHISE COMMITTEE.

Mr. C. A. SOUTER, I.C.S., Commissioner of Labour, Madras.

1. *The Chairman:* Mr. Souter, I understand you are in charge of the Labour Department of the Government of Madras.—Well, Sir, I think I have to make my position clear in that respect. I am officially called the Commissioner of Labour, but that is, to some extent, a misnomer, for the reason that most of the duties of the Commissioner of Labour are concerned with the amelioration of the depressed classes. But so far as labour itself is concerned, his duties are more or less confined to what is laid down under the Trade Unions Act and the Workmen's Compensation Act, that is to say, it is more a judicial function than any general authority over labour or the conditions of labour in the Presidency. His main duties are, as I said, connected with the amelioration of the depressed classes.

2. Now we had a good deal of discussion about the Whitley Commission's proposals for using the trade unions as the basis of representation of labour. The Whitley Commission made it clear that the trade unions must be properly organised and registered before they can be used. Could you give us any information as to the present state of trade unions, how many there are, how many are registered in this Province as compared with the total number of those employed in factories?—So far as I am concerned as Commissioner of Labour, I only take cognizance of those unions which are registered under the Trade Unions Act. Of those registered unions there are 23. Some of the members I believe have got a list of those unions which I gave to them the other day.

3. Will you hand it on to the Secretary?—Yes.* There are only 22 in that list. But one was registered by me about a fortnight ago. It is a branch of the Electric Tramways Transport Workers Union.

4. Could you give us the number of members in the 23 unions?—The membership roughly is between 38,000 and 39,000. I think Mr. James gave the exact figures the other day. Out of this total, over 26,000 belong to one union, the Madras and Southern Mahratta Railway Employees' Union. So in the other 22 unions there are only some 12 thousand out of the total number.

5. How many of them are, what may be called, properly constituted, with membership and other registers, regulations and so on?—That is rather difficult to say for this reason that under the Trade Unions Act, the Registrar of Trade Unions, which is the official title I go by under that Act, must register any union which applies for it and the by-laws or the rules of which comply with the requirements of the Act.

6. Does he have to see their accounts?—The accounts are under the Act audited once a year and the Registrar has to be given a statement by the secretary or other responsible official of the union that those accounts have

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been so audited and proved correct. Beyond that we make no examination of the accounts. We are merely accepting the auditor's statement that the accounts are correct.

7. Somebody stated that the industrial labour in this province comes to about 135,500. Is that so?—That is industrial Labour in the factories which are registered under the Factories Act. Those are the only figures we have got.

8. Could you say whether the trade unions as they exist at this moment are representative of organised labour as similar unions are in Great Britain, in so far as the conditions of these unions are similar to those in Great Britain?—I may say at present certainly not, and for this reason that the trade unions themselves, or a considerable number of them, I do not consider to be properly organised. And the second point is that the unions as they are run now do not represent a distinct branch, so to say, of industrial labour as they do in England. We have very few cases here of the type of those in England. For instance there is the Transport Workers' Union or there is the Weavers' Union. But all our unions here are centred in the particular factories in which those men happen to be employed; and the union comprises not only the transport workers, the weavers or any other section out of the workers, but also men like clerks and so on. And so far as I understand, that is not the condition in which the unions are formed in England and other western countries. So fundamentally it seems to me that the unions here are radically different from those formed in western countries.

9. Are they moving in the same direction? Is the labour organisation in this country of the standard type?—Just at present I very much doubt it.

10. As you know, the employers and capital in various places are given representation in the Legislature, as special interests. And I think the Committee recognises that it is right and proper that labour, in so far as it can be represented, must also be given representation. That is to say, there should be a distinctively labour representation apart from representation in their capacity as citizens. That is labour interests should be represented, as opposed to capital interests, and it is suggested that there is no better way of doing it than by entrusting that representation to trade unions in some form. Now do you think that in this province trade unions, in so far as they are not organised as in England even though they may cover 135,000 labourers, are capable of speaking on specifically labour interests as opposed to capital interests?—Not adequately. I think it follows from what I have said about the organisation of the unions now, if we take only those unions which are registered under the Act, the figures which I have given would show that one union among them which is a very specialised union (that of railway workers), very largely predominates, *i.e.*, to the extent of 26,000 out of 38,000; and the rest of the 22 unions have only 12,000 members on their rolls. I do not think that the unions as at present constituted could possibly adequately represent the views of industrial labour in general.

11. Now am I right in taking it that you will agree with the recommendation of the Provincial Committee that a special constituency should be formed of all workers drawing, say, Rs. 15 a month or Rs. 12 a month. I gather there would not be any particular difficulty in getting this number. If you agree, how would you propose that the election should be conducted?—We would need to have a separate roll of all those people who are drawing that sum. I think we can get those figures from the owners. But there may be some difficulty, for the reason that a very large number of factories in this Presidency both registered and unregistered are what we call seasonal factories; that is to say, they are run only during those seasons when particular products are being dealt with in the factories, as for

instance rice mills, or an even more striking example, the groundnut mills. There is only one groundnut season, and they do the decorticating and other processes in that season. In the rest of the year those mills are closed down. So there may be some difficulty in those cases to say whether each particular worker earns Rs. 12 or Rs. 15. But otherwise, for those mills which are run regularly throughout the year, I think we can get the figures easily from the management.

12. Would you have any objection to the trade unions putting up their candidates? It will be possible of course for anybody to be nominated for the constituency?—I can see no particular reason for objection.

13. If possible, the organised workers may nominate their candidates?—I will leave it entirely to those workers to whom you are giving the vote. But, on the contrary, I have to make my position perfectly clear in the matter. When this question did come up before our committee at the first impression I was very much taken up by the idea that the trade unions should be the bodies through which to elect representatives of labour. It was only after careful examination of the figures, that I have given you just now that I reluctantly came to the conclusion that it is impossible under the present circumstances to do so. But if trade unions were properly organised and run on lines similar to those we are familiar with in England and other western countries, I have no objection whatever to those trade unions being made the medium through which to elect representatives to the Council.

14. *Mr. Bakhale:* How long have you been Commissioner of Labour?—Since last July. I may add that before that time I was Secretary to Government for nearly two years in the department which dealt with labour.

15. You said there are 23 unions at present which are registered under the Trade Unions Act. Could you tell me how many of these unions were registered a year ago?—As a matter of fact I was told only yesterday evening that I would be examined. I can give those figures afterwards. I have got a register.

16. But in the case of those unions which were registered a year before, they are expected to send you their annual returns of accounts?—Yes.

17. Take, for example, the Madras Labour Union. Have you any idea as to the period of registration?—I could not tell you when every one of these unions was registered.

18. Could you send that information?—I shall send it* to you. I think if I gave you a statement of the year in which every one of these unions was registered, that would serve the purpose.

19. Yes. And when these unions were registered 12 months ago, you must have got their annual statements of accounts, is it not so?—Yes, we got some of them.

20. There are certain rules laid down under the Trade Unions Act that for a particular membership an auditor of a particular standing must be appointed by the union?—Yes.

21. Can you say that the accounts as audited by the auditor prescribed under the rules under the Trade Union Act would reflect correctly the position, financial and otherwise, of the trade unions?—That I cannot possibly say. As I have said, we ourselves make no examination of the accounts of the union.

22. But the examination is made by the auditors the qualifications for whom are prescribed by the rules under the Trade Unions Act?—Yes.

Vide Appendix I, page 196.

23. You are also aware that under the Trade Unions Act there are certain rules laid down as regards the constitution of the trade unions as well as the manner in which the officials are to be elected?—Yes, that is necessary for every trade union before it is registered.

24. So all these 23 unions that are on the registration roll have fulfilled the conditions laid down under the Trade Unions Act in those particular respects?—Necessarily.

25. Then may I know what you exactly mean by properly constituted unions?—What I mean is unions which are run on lines with which we are familiar in the West.

26. May I know the lines on which the unions are running in Europe without going into details?—The unions in the West are confined to particular branches of work, as I understand it, as I explained to the Chairman, say the Transport Workers' Union, the Porters' Union, the Carters' Union, the Weavers' Union and so on and so forth. Here we have nothing of that kind. The general constitution is not the same as the constitution in England.

27. Take, for example, the Madras Labour Union which embraces the textile workers in Madras. Is it not run exactly on the lines on which the unions are constituted in the west?—You refer to union No. 2 in the list. That includes only a certain number of men in these particular mills. But there are other men which the union does not include.

28. But, so far as the Madras city is concerned, it embraces within its constitution all the labourers in the city, does it not?—The number is only 3,362.

29. The number may be small, but the constitution does not prevent any worker in any of the textile mills joining this union?—I will take your word for it.

30. I would like you to verify it.—The point is this, that so far as membership is concerned, whoever gets into that union is a member. You know under the Trade Unions Act any seven men who frame rules in compliance with the Act can be registered as a union. So it only requires seven for registration. Whether they have 30,000 or 40,000 is a matter with which we have nothing to do.

31. When you have to report on the working of the Trade Unions Act, you have to find out what membership they have got, how their financial position is and so on, is it not so?—These figures we take from the report sent by them.

32. And their accounts are audited by the auditors?—Yes.

33. Take another example, the M. S. M. Railway Union. That union caters for all the railway workers in the M. S. M. Railway?—Yes.

34. Don't you think that this union is working on English lines?—It depends on what you consider English lines. I should say that in England they would have three or four separate unions within this M. S. M. Employees' Union. They would have particular sections within such a union and probably in conjunction with similar workers in the South Indian Railway. That, I understand, is the system in England.

35. I do not know what method you follow or advocate as regards building up a trade union organisation. That is not the question before us now. I gave you an example of the Madras Labour Union which embraces all the textile workers. In England so far as the textile unions are concerned they are on a craft basis and not on an industrial basis, while in regard

to railways they are on the industrial basis in England. And that is the model which the M. S. M. Railway Employees Union, for example, has adopted. I do not see any difference between the constitution and the methods of organisation so far as these particular unions are concerned.—Yes, that may be, Sir.

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36. *Major Milner:* Your opinions as given to us to-day differ from those of the Whitley Commission?—My conclusions, yes.

37. Do you agree, as the Whitley Commission say, that although with the passing of the economic stress and acute political turmoil of 1918-21 many *ad hoc* unions disappeared and some leaders lost interest, there remained a number of genuine organisations and these grew steadily in numbers and quality in spite of local checks and universal handicaps?—To a very limited extent because here I have given figures. I would have preferred it if the Whitley Commission had specified these organisations instead of making a general statement.

38. Some of these organisations, which Mr. Bakhale asked you about, are still in force and, I am informed, have been in force for a great many years?—Yes.

39. You don't agree with the Whitley Commission that the majority of the Unions are now permanent organisations?—No.

40. You will agree with the Whitley Commission when they say that some form of organisation is inevitable since the need is acute and unless it is encouraged to take a constitutional form it might assume a more dangerous form?—That I think is a very natural conclusion and I agree.

41. I take it that you also agree that the Trade Union movement in India cannot be expected in face of the very special difficulties to begin at the stage achieved in other countries through long experience and after many vicissitudes?—Naturally.

42. I am just anxious to make these reasons clear. They say, "as the law stands at present registration generally involves no obligations that *bonâ fide* Unions should not be able to undertake. It necessitates a regular constitution, periodical audit, the composition of the executive so that the majority may be workers and the suppression of political funds which can only be collected from those members who are willing to contribute?—They are all laid down in the act.

43. You are aware that the Whitley Commission expressed the hope that in legislation and administration the State and its officers will recognise the importance of these Trade Union organisations as an integral part of the structure of the country?—Yes.

44. And that anything that can be done on this or any other committee to strengthen the better lines of an organisation by giving Trade Union franchise or responsibility in any other form is a matter that ought to be encouraged in the general interest?—Well, I fancy that is a matter for Lord Lothian's Committee but whether by doing so now and hurriedly you are going to do real good for the workers for whom, I presume, the Union exists is a matter of very considerable doubt.

45. I think you must agree that these organisations must of necessity more fitly and more adequately represent those industrial workers than mere individuals who are elected?—No.

46. If those Unions have to have a majority of workers you must of necessity get men of knowledge in all branches of life. By the very fact that it is an organisation of workers, you must of necessity get the point of view of the workers more adequately and fitly and expressed with greater authority than the loose suggestions of men elected by groups of workers?—I

cannot subscribe to that as the Unions exist at present. I could expect it if Unions were what you and I want them to be.

47. With regard to the question of numbers, have you any knowledge or can you give us any comparative figures with regard to the proportion of Unions in Great Britain?—No.

48. The membership of Trade Unions in the recent difficult times has fallen by many millions?—I think probably that is an argument against Trade Unions.

49. Not in the least. The argument is that the economic stress such as you have experienced in India is the cause of the falling off and in point of fact the Unions in Great Britain, in numbers, are possibly almost as badly representative of the whole as your Unions here?—If I was approaching the subject without previous knowledge my impression would be that Trade Unions in England were in a bad way.

50. Financially?—No, in popularity. As an ordinary reasoning being that would be my first conclusion.

51. There are many millions of workers in the Unions in Great Britain?—And according to you many millions out of them.

52. You cannot suggest that and put it forward as a satisfactory reason for not recognising them and making them a unit that they are only a small proportion in a country so recently developed as India when, comparatively speaking, that is the position in most advanced countries?—I am afraid I cannot agree.

53. *Khan Bahadur Aziz-ul-Huque:* The point of view you take is that Trade Union organisations in India are not sufficiently developed to have workers in the Legislatures?—That is certainly what our Committee greatly emphasizes.

54. Are you aware of the fact that the Labour party is represented by a large number of gentlemen who have never been labourers?—It may be so.

55. I take it therefore you agree that there is no inherent impossibility of non-labourers representing labour?—Yes.

56. That being so, supposing 30,000 workers organised and sent a representative. That would be adequate representation?—At present as things are in the Madras Presidency I should say distinctly, No.

57. You are still of the opinion that if 30,000 workers sent a man to the Council he would not be a labour representative?—*Ex*-hypothesi he is a labour representative but my point is that he is not a good labour representative.

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58. *Lord Dufferin:* Do you think it possible to take each mill as a unit and let them send one representative from each mill, and each man would carry as many votes as there were workers in the mill?—In other words you are trying to modify the group system in the mills. I do not think that would work. They would find it very difficult. There would be bickerings and more than bickerings.

59. *Sir Ernest Bennett:* You have given some figures with regard to Trade Unions and it was stated that there are 38,000 members out of 135,000 workers which at any rate shows that there is a Trade Union of some standing?—The 135,000 you refer to are only those workers who work in factories working under the Factories Act. I don't know if you have seen our Factories Act. For the benefit of the Committee I may tell you how the Factories are registered under the Act. Any factory which employs machinery or motive power employing 20 or more workmen shall be registered as a Factory under the Act. All those factories with less than 20 employees and all those factories which do not use machinery or motive

power do not come within the purview of the Act. Therefore you are omitting a large number of industrial workers who are not on the factories register so that your total of 135,000 ought to be increased by a very large number?—We have not got those figures and there are no means of getting them.

60. It does not include Railway workers?—Unless the railway workshops are registered under the Factories Act, like the Perambur Workshops.

61. Does your Railway Union here cover the clerical staff?—I understand it includes all the employees of the Railway.

62. As regards the possibility of a special constituency it has been suggested by your Committee that the men must be in receipt of Rs. 15 per month. What is the idea of suggesting Rs. 15?—It is 7 annas a day which are more or less the daily wages of the industrial labour and until recently not only in Madras City, but outside Madras, when wages were increased, it would have included a very large number of workers. In the present year the wages have gone down and the number of workers included in that category will be greatly reduced and I personally think that our figure of Rs. 15 may require reconsideration. We personally have no objection to reducing it to a figure which would include a large body of workers.

63. Are the audited accounts properly audited before presentation?—All I can say is that we get the auditors report that he has audited the accounts.

64. *The Hon'ble Mary Pickford:* Out of 75,000 adult workers can you tell me what number are adult women?—(*Mr. James*): Roughly about 35,000.

65. Can you, from the statements that are submitted to you by the Unions that you register, tell me whether any of their members are women?—Yes.

66. Have you any figures to show what number of women are in these Unions?—I can get the figures for you.*

67. Would you agree that apart from the large Railway Union, that a more correct description would be Shop Committees rather than Trade Unions?—Among the registered unions all I know is that they are Unions. Their constitution I have got no knowledge of. I know that they do comply with the provisions of the Act.

68. *Sir John Kerr:* You told Lord Dufferin that you did not think it feasible for labourers in a mill to elect a single representative. Supposing you sub-divided the mill into several sections, weaving, carding, spinning, etc. Do you see any insuperable difficulty in each section electing one or more representatives to act as voters?—Speaking quite generally I cannot see any insuperable difficulty. I should much prefer myself to go round the mills and see how the sections do work and form my conclusions after practical experience. Theoretically there ought to be no difficulty.

69. I should think it was the only possible way of electing a labour representative on the Council?—I should say so.

70. *Mr. James:* I take it that the idea behind this proposal is that on your electoral roll you should secure as large a number of industrial workers as possible. Therefore if you find that Rs. 15 would exclude a large number you would not be against reducing that limit?—I have just told Sir Ernest I would not be against it.

71. I think one of the ideas behind this proposal was that the electoral roll of labour would provide a useful opportunity for the activities of the Trade Union in putting up candidates?—Most distinctly it would depend entirely on the influence of the Trade Union in that factory.

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Vide Appendix I, page 196.

APPENDIX I.

List of Trade Unions in the Madras Presidency.

Serial No.	Name of the Union.	Date of Registration.	No. of women on 31st March 1931.
1	Buckingham and Carnatic Mill Employees Union.	20th June 1927 .	....
2	Madras Labour Union for Textile Mill Workers.	24th June 1927 .	123
3	Madras Government Press Employees Association.	19th November 1927	Registration cancelled on 4th January 1929.
4	P. W. D. Workers Union .	7th April 1928 .	....
5	Madras and Southern Mahratta Rly. Employees Union.	12th May 1928 .	96
6	South Indian Rly. Employees Association, Trichy.	14th July 1928 .	....
7	Madras Aluminium Labour Union	1st August 1928 .	....
8	Ranipet Labour Union . .	30th August 1928 .	35
9	Madras Electric Tramways and Supply Corporation Employees Union.	18th January 1929	122
10	The Madras and Southern Mahratta Rly. Non-workshop Employees Union.	5th February 1929 .	Registration cancelled on 6th January 1931.
11	The Samalkota Labour Union for D. S. and A. Co. Ltd., Workers, Samalkot.	11th December 1929	12
12	The Madras Kerosene Oil Workers' Union.	23rd January 1930 .	....
13	The Madras Port Trust Workers Union.	21st March 1930 .	23
14	The West Indian Match Factory Workers Union, Tiruvatiyur.	12th April 1930 .	25
15	The Madras Engineering Workers Union.	12th April 1930 .	....
16	The Madura Labour Union for Textile Workers.	24th May 1930 .	320
17	The Nellikuppam Labour Union, Nellikuppam.	3rd August 1930 .	50, Registration since cancelled.
18	The Tuticorin Textile Labour Union.	23rd December 1930	3
19	The Massey & Company Labour Union.	24th January 1931 .	....
20	The Mount Road Motor Engineering Workers Union.	7th July 1931 .	Figure will be reported only in the return for 1931-32.
21	The Berhampur Taluk Board Employees Union.	17th July 1931 .	....
22	The South Indian Railway Central Labour Union.	1st August 1931 .	Figure will be reported only in the return for 1931-32.
23	The Spencer & Co.'s Ice Salesmen Union.	14th September 1931	Ditto.
24	The Commonwealth Trust Tile Workers Union, Feroke.	13th October 1931 .	Ditto.
25	The Standard Tile and Clay Workers Union.	15th December 1931	Ditto.
26	The Madras Electric Tramway Workers' Association.	22nd February 1932	Ditto.

Memorandum submitted by Mrs. K. ALAMELUMANGATHAYARAMMA, M.L.C.

In reply to your letter dated the 19th January 1932, I beg to state:—

(1) Whether adult suffrage is given to men or not, I am of opinion that adult suffrage for women will not secure the views of enlightened women prevailing in the present more or less secluded condition of Indian womanhood.

(2) I would lower the existing property and tax paying qualification of women and thus increase the number of women voters.

(3) I would also enfranchise all women above 21 who have received education of at least the primary standard. This would also secure an increase in the number of women voters.

(4) I do not think group voting among women is feasible.

We do not want nomination. We do not want separate electorate, because if we have separate electorate we will not be able to vote against men who will not support our women's cause. We want to prevent if possible the return of men who will support all the ancient customs against us and we want to support all those candidates who will support our women's cause.

There should be no special qualifications for candidates.

Mrs. K. ALAMELUMANGATHAYARAMMA, M.L.C.

1. *The Chairman:* Are you representing any association of women?—No.

2. You are speaking in your individual capacity?—Yes.

3. You don't think that adult suffrage will secure the representation of enlightened educated women. Is that correct?—I don't like to give adult suffrage.

4. Would you tell us why you don't like it?—The mass of ladies is uneducated and therefore I don't like that. For some years I don't like to give adult suffrage.

5. There are lot of men who are uneducated. You are against it either for men or for women?—Both.

6. You would enfranchise all women over 21 who are able to read and write. Is that correct?—I want to enfranchise those ladies who are 21 years of age and have primary education.

7. Do you want any special representation for women in the legislature for the first 10 years. You want to have 5 or 6 women members in the Council for the first 10 years of the council when it is not very likely that many women would be elected in the ordinary way. You don't want any special representation?—No.

8. Do you think that women would be elected to the legislature under the franchise you propose for the next few years in the ordinary way?—Yes, I hope so.

9. You expect it?—I expect it.

10. *The Hon'ble Mary Pickford:* I don't know whether you have seen the proposals put forward by the Provincial Franchise Committee which are very much the same as those that you propose?—Yes.

11. This will only enfranchise under a million women in the whole of the Presidency. Do you still think that it is very likely that women would be returned to the Council in an open election against men under the circum-

stances?—I feel that women should contest with men in open election. It will be a difficult matter but still they should.

12. A proposal has been put forward by which women will contest in open election with men, but supposing they are not returned—still the small number of women who were the most successful would sit in the Council—for a limited period. Do you not feel that it is important that in these first few years of responsible Government there should be some security that the women's voice will be heard in the Council?—Women should stand and the legislature should be given the power to co-opt.

13. *Sir Zulfiqar Ali Khan:* Would you please tell me if there is any real desire on a large scale among the women of Madras to take part in the political life of the country?—There is not so much desire just now but more desire will be created later on.

14. How much representation do you want in the Council?—I do not like reserved seats in the Council. I am not in favour of that.

15. You will take your chance in the general constituency?—Yes. I think that women should contest with men in the general election and if they are not successful then the legislature can co-opt a few members.

16. Do you want enfranchisement of women?—Yes.

17. What is the basis?—Same as men's qualification. I want the literacy qualification as well. Those who have primary education should be enfranchised.

18. Only educational qualification?—Education, age-limit 21 and anybody who pays tax just as is the case with men.

19. May I know if women possess any property in their own right?—Very few.

20. May I know if education among women is increasing?—Yes, day by day.

21. May I know if you want women to contest in constituencies constituted in urban areas or you want them to contest in the rural areas also?—Only in urban areas.

22. *Mrs. Subbarayan:* May I just make the point clear. You want women to contest in general constituencies but only in urban areas?—Yes.

23. What method would you suggest, because there are only a few urban seats. If women are to contest the same seats they will have very little chance. There are only a few urban seats, 5 or less?—They must stand in open election.

24. Only for urban areas or for rural constituencies also?—Only for urban areas.

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25. *Diwan Bahadur Ramaswami Mudaliyar:* Do you think that they should be prohibited from standing for rural constituencies or you think that it is unlikely that they will be returned from rural areas?—Men in rural areas are not accustomed to any idea of women standing. It will be preferable if they stood for urban areas and took their chance with the men and then gradually began standing for rural areas.

26. *Mrs. Subbarayan:* Do you think that it will be necessary to have separate polling booths for women?—As a large number of women should come to the polls, it is desirable that facilities should be afforded for them, not necessarily by separate booths but certainly by separate entrances in the same booths.

27. *Sir Muhammad Yakub:* Do you think that married women will be largely influenced by their husbands and will not be able to cast independent votes?—They will undoubtedly be influenced by their husbands and by others as well as they are not sufficiently enlightened at the present moment.

3rd March, 1932.] Mrs. K. ALAMELUMANGATHAYARAMMA. [*Concluded.*

28. How many women have stood as candidates for election in Madras since they got the franchise?—(*Mr. Muthiah Mudaliyar*): I might inform you that one lady stood for the local council. (*Witness*): That was some time ago but since then the desire among women to return women members is much keener. The interest taken by them is much greater at the present time.

29. *Major Milner*: In the main, it would be the educated people who are the enlightened people?—Yes.

30. And education means money?—After the age of 21 or 25 without regular education they will get some knowledge from experience.

31. So you want to give the vote to the enlightened women only?—Not only enlightened women. I want to enfranchise social workers and patriotic workers also.

32. By enlightened you possibly mean educated and that means those who have means. Your proposal therefore is to restrict the franchise to people with means?—As free compulsory education is spreading in the country and as many read newspapers and take an interest in politics they will be sufficiently educated and so they need not be women with property and I suggest that any such ladies may stand for election.

33. Do you approve of the suggestion of the Provincial Franchise Committee that over 5 million men should have the vote and only less than 1 million women?—As long as there is some chance of the numbers growing, I don't object.

Memorandum submitted by Mrs. INDRANI BALASUBRAHMANYAM.

I herewith enclose my views regarding Women's suffrage and representation as I am interested in them only. My answers are brief and to the point and I would implement them if called for.

3. (*a*) I am not in favour of increasing the women's electorate in the way suggested in the clause nor am I in favour of adult franchise for women. In the method of increasing the women's electorate I have the following suggestions to offer:—

(1) The existing voting qualification based on property and tax may be reduced by half in the case of women. This will increase the voting strength of the women to some extent.

(2) All literate women who have reached the age of 25 should be enfranchised.

(3) To the extent to which the increase is made in the women's electorate by adopting the above two suggestions.

(*b*) I am not in favour of group representation.

As for representation of women to Provincial Legislative councils, may views are as follows:—

Even after widening the basis of suffrage for women according to my suggestions, it may be that they may not be returned adequately on account of the bias of men and other reasons. I am not in favour of nomination. I am not in favour of separate electorates for women, but I would suggest in order to ensure reasonable representation of women, a reservation of seats for women to the extent of not less than 5 per cent. of the total strength of the Council. These seats may be filled up by co-option by the legislative body voting by proportional representation as soon as these legislative bodies have themselves been elected.

Mrs. INDRANI BALASUBRAHMANYAM.

1. *The Chairman:* I understand that you are in favour of reducing the property qualifications in the case of women and of having a higher qualification in the case of men. You are also in favour of enfranchising women who are literate and who are above 25 years. Is that correct?—There is no objection to the age-limit being 21. They will have more experience if they are 25.

2. Please let me know if you want as many women voters as there are men voters?—I am not for equality in numbers.

3. You do not want separate representation for women in the first few years of the council?—Yes.

4. You believe in the method of co-option?—Yes.

5. Do you think it would be a good thing if women were co-opted by men only?—As there is no better method by which women can be represented in the legislature, I am of the opinion that at least co-option may be tried.

6. There are two methods put forward, one by the Provincial Franchise Committee which suggests that women should be elected by men and women in urban constituencies and the other by the Provincial Government which suggests that a number of seats should be reserved for women in the constituencies. Which would you prefer?—Even in urban areas we cannot contest with men. A woman from one place cannot go and contest a seat in another place. Further we cannot go about and canvass votes in places which are not familiar to us. We cannot compete with men in the general constituencies, and even if we do so, we have no hope of success and that is why we ask for co-option.

7. Would you not like to have special electorates for women where they can elect five or six educated women to the legislature?—I am not in favour of it.

8. You favour election by men then?—Yes.

9. Do you think that women will come and vote freely in the country districts if they are given the vote?—They will come and vote.

10. Do you want separate polling booths in order to induce women to come and vote?—It is better to have separate polling booths for women.

11. Is it general or is it to be arranged only in the country parts?—In places where women move freely there is no necessity for separate polling booths, but in other places there should be separate polling booths.

12. Will women go and vote in large numbers or will only a few women exercise their franchise?—Each woman will come into the polling booth according to her convenience.

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13. *Khan Bahadur Aziz-ul-Huque:* At the present stage, is it possible to get educated Muslim ladies to the poll?—Oh, yes, if separate booths are provided.

14. Have you got any Muslim lady members in your Association?—Yes.

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Miss NALLAMUTHU AMMAL, representing the All-Indian Women's Conference.

1. *The Chairman:* Miss Ammal, are you giving evidence on behalf of the Women's Indian Association?—No. I am giving evidence on behalf of the All-India Women's Conference.

2. I understand that the All-India Women's Conference is in favour of giving, if possible, universal adult suffrage. Is that correct?—Yes.

3. In the event of that not being administratively possible, this Association is in favour of universal suffrage by indirect election, that is to say, by grouping the people and electing secondary electors?—Yes.

4. You do not want separate groups for men and women?—No.

5. If you make groups of 25 or 30 people, are they likely to elect any women as secondary electors?—I cannot say anything now.

6. Anyhow you do not want the women to be grouped separately?—No.

7. Supposing it is impossible either to have universal adult suffrage or universal indirect system, have you got any views as to what the third best method would be? Would you, for instance, approve of the proposal of the Madras Provincial Franchise Committee?—I think the memorandum states definitely that there is at present no other alternative.

8. Let us suppose for a moment that you cannot have adult franchise and you cannot have the universal indirect vote too. In that case what view would you take of the Madras proposal for enfranchising all literate women and for electing a certain number of women directly in urban constituencies? —I am speaking only on our memorandum and I support it.

9. So that you desire to have universal suffrage or nothing else?—Yes, we want universal suffrage in form, but when it comes to practical working of it, I think it will take some time.

10. You are not willing to consider any intermediate stage before adult franchise?—That is so.

11. *The Hon'ble Mary Pickford :* You have come here to represent the Central Committee of the All-India Women's Association?—No. I have been asked by the All-India Women's Conference Standing Committee to give evidence.

12. You are therefore only representing the views of those who support the memorandum?—Yes, I represent the views of the All-India Conference.

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13. You say that you are not in favour of reserving seats for women in the Council even as a temporary expedient?—That is what the memorandum says.

14. Has the Central Committee considered how very important it is that there should be an opportunity to women, in the future councils particularly to make their voices heard and to represent their views?—That has been dealt with in the memorandum.

15. I understand that a very distinguished lady who was a nominated member of the Legislative Council, Dr. (Mrs.) Muthulakshmi Reddi, when she was agitating for reservation of seats for women in municipalities said this: "For some years more, till women are educated, till we get economic independence and equal share in the property as the Muhammadan and Christian laws allow, we would not be in a position to face the elections along with men candidates". If that is true in municipalities, don't you think it is much more true in Council elections where the expenses will be much greater and the difficulty of contesting seats will also be greater?—I think Dr. (Mrs.) Muthulakshmi Reddi will be a better person to answer that question.

16. *Mrs. Subbarayan :* What is your view?—I am representing the views expressed in the memorandum.

17. Are you a member of the Constituent Committee of the Madras Branch of the All-India Women's Conference?—Yes. It is called the local Committee of the Madras Constituent Conference of the All-India Women's Conference.

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18. You are an office-bearer of it?—Yes. I am a Standing Committee member.

19. Do you know whether that committee has considered this memorandum which has been presented to the Franchise Committee?—Being one of the 37 Constituent Conference we are bound to have considered it and it has been considered.

20. Am I to understand that the provincial committees cannot express any independent opinion, but must abide by the decisions arrived at by the Central Committee?—I think the constitution of the conference is clearly laid down in the Annual Reports of the Conference.

21. I am not talking about the constitution. What I want to know is whether the provincial committees have no independent voice in considering any matter placed before them?—The majority of the constituent conferences give the mandate to the All-India Standing Committee.

22. It means the provincial committees do discuss this memorandum?—They do.

23. But the Madras Committee did not discuss it?—I do not think so. It was discussed and only individuals had differed from the memorandum but not the Committee as a body.

24. This committee would like to know if this memorandum represents the views of this provincial committee if it has given it the consideration it deserves?—The memorandum represents the views of the All-India Women's Conference as authorised by the various constituent conferences.

25. You do not answer my question. Did the All-India Women's Conference discuss it at its last session?—The memorandum had been there for a very long time before the conference was held and when the annual report was adopted, the memorandum was also adopted at the conference.

26. Did they discuss it?—Discussion did not arise because the memorandum had been accepted by that time and no constituent conference desired discussion at the annual conference.

27. Did the provincial conference discuss it?—I did not say that the provincial committee did not discuss it. I said that as one of the 37 conferences, the provincial committee is bound to have discussed the memorandum.

28. You will not give a straight answer? Will you please say what the strength of the central committee is?—Thirty-seven.

29. Each constituency has got one member?—Yes.

30. The Chairman of the All-India Women's Conference in her letter enclosing the reply to the questionnaire says that this written statement was discussed and passed by your constituent committee on the 7th February. Were you there?—I was not there. I had delegated somebody.

31. The memorandum mentions the All-India Women's Conference in conjunction with the Women's Indian Association and the Central Executive Committee of the National Council of Women in India. While referring to the Women's Conference and Women's Indian Association, nothing is mentioned about the Central Executive Committee as is done in the case of the National Council of Women in India. Is this memorandum sent in on behalf of the whole Conference or on behalf of a committee like the Central Executive Committee of the National Council of Women?—It is on behalf of the whole conference.

32. Then you say that you want adult franchise without any special expedient: later on you suggest the group system. Don't you think that the group system is a special expedient?—The group system is a method, not an expedient. It all depends on interpretation.

33. Don't you think, if the group system is adopted, the direct electorate will become very small, only ten per cent.?—The whole idea is that the basis is adult franchise. It will lead to that. That is the opinion of the conference.

34. *Major Milner:* Your conference was a meeting of delegates from all constituent organisations?—Yes.

35. And they had this memorandum before them and they all unanimously decided in favour of the views put forward in the memorandum?—Yes.

36. And are the delegates democratically elected by the members?—Yes.

37. And therefore the memorandum may be said to fairly represent the views of the majority of the women members of your organisation?—Yes.

38. *The Hon'ble Mary Pickford:* The evidence shows that she was not quite sure whether it was put before the Madras branch or not.—This has been answered by me, that it was discussed by the local committee.

39. *Diwan Bahadur Ramaswami Mudaliyar:* Miss Nallamuthu Ammal, I understand that this memorandum lays very great stress on the method that is suggested herein and claims it as being the authoritative exposition of the women's point of view. I take it that you represent your association and your association do not wish to interfere with men regarding what they consider reasonable for them in the matter of suffrage or in the method of election. I take it that you give equal liberty to men to have their franchise systems according to their lights provided they allow ladies to have their own methods?—It is a very unhappy suggestion. I hope both men and women will go together.

40. Does it mean a one-sided agreement that men should follow women or does it mean that women also should consider the men's point of view? Will you reconsider that position?—I do not think that question arises at all, the basis being adult suffrage for all men and women.

41. The question arises this way. You have suggested adult franchise and in the event of that not being practicable if it is demonstrably proved it is not practicable—you suggested the group system. Suppose men are overwhelmingly against it, would you still insist upon men being grouped against their opinion or would you allow them to have their salvation in their own way?—I cannot say anything. We shall wait until events happen.

42. The Provincial Committee have completely opposed the group system. Would you still force it on men or would you confine it to women alone?—The All-India Women's Conference does not believe in force.

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43. *Diwan Bahadur Ramaswami Mudaliyar:* Has the Conference considered the possibility of men not liking the group system as applied to themselves?—We have not consulted the likes and dislikes of people, but the principle has been adopted and that is the principle of adult franchise, giving a chance to every one in the country and giving them an opportunity to come forward and have a voice in the making of the laws of the country.

44. Would it be incorrect to suggest that this association has been largely influenced by the Congress demand for adult suffrage in advocating this particular system?—I am not aware of it.

45. Are you aware that many of the ladies who are signatories to this memorandum were in active sympathy with the Congress in the pre-Ordinance days?—That concerns persons and I do not think it comes into this at all.

46. May I have some light thrown on the genesis of this memorandum, as to when it was prepared, whether and by whom it was considered, how its circulation was effected among the various branches of the women's associations? Are you in a position to give any information on these points? —I can supply you a whole volume of literature on the subject.

47. I do not want literature. I want facts.—It will take a long time now. The memorandum has been there for nearly a year.

48. This memorandum was drafted nearly a year back?—Yes. It has had a wide circulation and was given the utmost chance to be discussed and threshed out.

49. Are you aware that circulars have been issued by executive members of this association stating that it would not be proper on the part of any of them to dissent from these views, but that they should stand by the views of this association and keep up the sense of discipline of the organisation?—It is not discipline so much. Having become a constituent part of the whole Conference, the local Conference had to abide by the decisions arrived at by all the Conferences at a central meeting, and it was clearly pointed out that those who wanted to express opinions contrary to the memorandum might do so in their individual capacity. I think that is the basic principle of most organisations.*

50. Would you be quite definitely against the grouping of women by themselves and electing secondaries from among them?—I should decidedly say that the Conference would be against it.

51. If that be the only alternative according to the scheme you have proposed, would you abandon that alternative?—Yes. We will abandon that, on the basis of the franchise we suggested.

52. *Mrs. Subbarayan:* Is it the opinion of the All-India Women's Conference that there should be no special representation for any community on the legislatures?—Yes.

53. And that is the view of all the signatories of the memorandum?—Yes. Whoever signed the memorandum should have agreed to the principles embodied in the memorandum.

Memorandum submitted by Mrs. HENSMAN.

Thank you for your courtesy in sending me the questionnaire of the Madras Franchise Committee. Some of us have been eagerly discussing the question of the extension of Franchise among women, and the part to be played by women in the coming Legislatures, but I did not consider my views valuable enough to ask for a copy of the Franchise Questionnaire!

I am enclosing a scheme for women's suffrage of the future—along the lines some of us have discussed. I may mention that I have spoken along these lines to Mrs. Appasami and she tells me there is doubt as to whether widowhood as well as wifehood (under "Property" conditions) will be a qualification for the vote, so, in that case, we would press for a lower literacy test for women, and not have marriage alone as a qualification.

Thanks again for the Questionnaire.

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* Miss Nallamuthu Ammal subsequently sent the following explanatory note:—

The All-India Organising Secretary sent a circular, dated 24th April 1931, informing the local committee of the nature of the memorandum, and then the printed memorandum itself was sent to all the branches in June. The Madras Committee met only in July when it accepted the memorandum. Subsequently it was presented to the Round Table Conference in August 1931. If individuals in the local committee dissented from the views expressed in the memorandum they should have expressed the same at the July meeting when the memorandum was considered and not after it has been accepted by the All-India Women's Conference. That is why the Standing Committee sent circulars to the branches to abide by the memorandum.

Memorandum by Mrs. HENSMAN. [*Continued.*

Notes on Franchise and the representation of Women in the New Constitution for the Local Legislatures.

The question before the Franchise Committee is an increase of electorate by not less than 10 per cent. or more than 25 per cent. this rules out Adult Suffrage.

A.—FRANCHISE TO DEPEND ON.

(1) The same property qualifications as men, *plus*

(*a*) A lower literacy qualification for women.

N.B.—Perhaps a pity to have two standards of literacy, one for men and another for women, and if (*b*) below is adopted the illiterate or semi-illiterate married women will be provided for. Very few women in India are unmarried, and all professional women, married or single, will be qualified under the literacy test for men.

(*b*) Married women or widows whose husbands, or late husbands, are or would have been, qualified to vote under the property qualifications already existing.

If widowhood (*b*) will not be included, we would press for (*a*), *e.g.*, Lower literacy test.

N.B.—Some have objected to this on the ground that it will in practice double the vote of the married man, but here the following points have to be considered in favour of (*b*):—

(1) The same objection was raised in England, and found groundless.

(2) This includes the shrewd wives and mothers of the previous generation who would be competent to vote, but not qualified as being either illiterate, or, under the present Hindu Law of Inheritance, having no property qualifications in their own names.

(*c*) With a secret ballot, the husband cannot know how his wife has voted unless she tells him.

B.—REPRESENTATION.

1. Five seats to be reserved for women on the local legislatures.

These five seats to be for Municipalities grouped together in a certain area, *e.g.*:—

(1) Madras.

(2) Calicut, Cannanore, Mangalore and the West Coast Municipalities.

(3) Bezwada, Ellore, etc., in Andhra District.

(4) Tinnevelly and the South.

(5) Madura, Tanjore, etc.

N.B.—It might be as well to press for six instead of five seats for women. The actual grouping is a matter of detail, the point being that women candidates should be able to tour Municipal areas and not rural areas, which would be far more difficult, and also, the majority of literate women are to be found in Municipal areas.

2. In these selected areas *men and women* qualified for the Franchise to vote.

N.B.—It has been suggested by a few that *women only* should be qualified to vote for these candidates, but most feel that this might create another communal difficulty in India—that of a separate electorate. Moreover, there might be an impression created in the Legislatures that women

members, elected by women should concern themselves only with "Women's questions". If these representatives were elected by both men and women, the members of the Legislatures would feel a joint responsibility and unity of aim.

3. This reservation of seats for women to be for a period of ten years, or of three elections only.

4. Alternatives put forward by the Women's Delegation in 1930:—

(*a*) Legislatures, after their own election to elect a fixed proportion of women to the Legislatures—say, 5 per cent.

(*b*) These reserved seats to be for a temporary period of 3 elections.

(*c*) Election of women representatives to be by proportional representation to avoid communal complications.

N.B.—The objection to this scheme is that women candidates must be nominated or drawn somehow by the members of the Legislature, and would not be, therefore, directly representative of the electorate. The scheme outlined in 2, would avoid this, and would thus be the most practicable.

APPENDIX.

Women Suffrage.

* Women's Indian Association is totally opposed to the suggestion of enfranchising the wives or widows on the property qualification of their husbands alive or dead, so as to increase the number of women voters equal to that of the men, because in the first place, this system, however temporary it might be, tends, in our opinion, to perpetuate the old old, ancient notion of dependency of women upon men and strikes at the very root of the principle of equality of sexes for which the Association stands.

Further, women unanimously demand that in the Declaration of Fundamental rights in the New Constitution, a clause to the effect that "*Men and Women possess equal citizen rights*" and "*no disability should be attached to any citizen on account of sex*" should be added. Hence this system of granting votes to women because they are the wives or the widows of men who possess the qualification for vote will certainly not be in line with that definition of citizenship and equality of sexes as citizens.

Again, the number of unmarried women, both among the educated and the uneducated, is likely to increase with the coming years on account of the over-population menace and economic distress in the country. It is certainly neither fair nor just to exclude the above category of women from the electoral roll as it will place the unmarried women at a decided disadvantage in the social and the political ranks of our society. Therefore, this system will certainly not commend itself to the educated and the thinking women of India inasmuch as it makes the citizenship of women contingent on her relationship, past or present, to a man, for a very large proportion of women.

Citizen by her own right.

Again, there are other valid reasons also to be taken into consideration, that is, the husband may influence an ignorant, submissive and dependent wife to cast her vote for his own candidate.

* The Women's Indian Association of 15 years standing has 72 branches, 23 centres and over 4,000 members engaged in political, social and educational advancement of women throughout India.

Thus by doubling the votes of property-holders, the poor and the labourers who pay no taxes will be at a disadvantage and in an attempt to build a Democracy or a Representative Government, where the poor and the rich will have an equal voice, more power is placed in the hands of the taxpayers and the well-to-do, thereby defeating the very object of Democracy.

Also, in the case of those husbands who have more than one wife, *e.g.*, the case of the Nambudris, the question will necessarily arise: "which wife should be given the vote?" And there are the difficult cases of the deserted wives who are not owned by their husbands for no fault of their own.

Therefore, the Women's Indian Association is strongly of opinion that a woman should be a citizen by her own right and her rights of citizenship should not be based on an extraneous qualification, like marriage.

The age limit for both sexes should be the same, that is 21.

Nominal property qualification.

As compared with men, very few women hold property in their own names and right and even if the property qualification for voting or candidature is made nominal, women are likely to suffer as long as our social systems remain as they are.

* *The Literacy Test.*

If a literacy test of any kind be introduced as a condition precedent for the exercise of civic rights, women will be placed at still greater disadvantage for the obvious reason that there are many more literate men than women. Moreover, literacy is no education and the mere ability to read and write or even passing the Vth standard does not improve one's power of understanding and judgment. School test or even the modern test of literacy cannot by any means whatsoever form the criterion for judging a human individual of his or her intelligence or capacity to understand and manage the house and state affairs. An individual can be educated through other ways, through the eye and through the ear, and be really an enlightened and cultured man or woman, very serviceable to the nation. Both our past and present history will furnish many outstanding cases such as the famous Ahalyabai-Holkar, Akbar, Hyder Ali and even some of the great prophets of the world. Even Tagore, the great Indian Poet, has not passed any Vth standard test. Objections may be raised that these were only exceptional cases, but the reply is that it will be an asset to the community to get even one such great person among millions of illiterates.

Therefore, the conditioning of the right of franchise either by property or literacy qualification would be fundamentally inconsistent with the declaration of equal rights and equal opportunities for all.

Adult Franchise.

Under these circumstances, the Women's Indian Association considers the immediate, unqualified and unconditional adoption of the principle of *Adult Franchise* to be the best and the most acceptable mode of assuring and securing political equality between the men and the women of this country. They consider all conditions or qualifications or tests, for the exercise of this right, whether based on property or literacy, to be needless impediments in the enjoyment by women of civic equality.

* Statistics (Madras Presidency), Literates over 20: Men—3,535,000. Women—589,000. Proportion of women to men—1: 7. Literates Vth Class and over: Men—3,706,986. Women—611,905. In other presidencies, the number of women literates is much less.

* After accepting the principle we have to find a method by which it could be practised even in the first election.

**Representation.*

We are confident that, if this practical equality is secured for women in the matter of Franchise, they will be able to find their way into the Legislative and Administrative Institutions of the country through the open door of ordinary election.

Disqualifications.—As distinguished from the qualifications, etc., for voting, in which we demand an absolute and effective equality, the disqualifications for the exercise of civic rights should be based on purely personal grounds.

Thus, the fact of a woman's relationship to a man or the disqualification, if any, attaching to her male relative of any degree, should in no way prevent her from exercising to the full her legitimate rights.

Memorandum submitted by the WOMEN GRADUATES UNION MADRAS BRANCH.

The Women Graduates Union, Madras Branch, is a union of women graduates of any recognized university and is affiliated with the Federation of University Women in India. The Madras Branch numbers about 80 members, and, as some of these are resident in the mufassal, it was impossible to circularize the Franchise Questionnaire to all its members. The questionnaire has therefore been answered by the Committee elected for 1931-32, and was circulated to all Committee members before the meetings on February 22nd and 24th at which the answers given below were drafted:—

Only those questions which have a direct bearing on the political status of women have been answered, and all these answers were passed unanimously.

* * * * * * *

Answers to the Questionnaire.

1. EXTENSION OF FRANCHISE.

(*f*) If a system of group electorates for adults not entitled to a direct vote be adopted, we urge that one-third of the secondaries elected must be women, *i.e.*, if the group unit be 60 it should elect three secondaries of whom one must be a man and one a woman, and the third either a

* *An Alternative Suggestion.*—The system of group representation may be acceptable, *i.e.*, a system of election by which a number of men and women, called primary voters, elect others from among themselves, called secondary voters to vote for the contesting candidate on their behalf. The idea underlying this system is that while every man or woman, whether poor or rich, literate or illiterate, over the age of 21 enjoys the right of citizenship which will certainly develop his or her sense of responsibility and self-governing capacity all the adult population need not go to the polling station. The actual number that records the votes will be much less than that of the adult population of the area. This is a device only to reduce the disadvantages of the enormous number of voters and we are told that this method of election obtains in certain advanced countries. The village may form the unit for such a calculation.

† Notes of dissent by six members of the committee of the union are printed as Appendix at page 217.

Memorandum by the WOMEN GRADUATES UNION, MADRAS BRANCH. [*Continued.*

man or a woman. If some such system be not adopted we feel that women are unlikely to be elected as secondaries in any number proportionate to their percentage among electors not otherwise entitled to a direct vote.

We consider that Group electors should vote in the same constituencies as directly qualified voters.

(*g*) In the event of separate constituencies being formed for group electors we consider that only group electors should be qualified to stand as candidates for such constituencies.

(*h*) We do not consider this scheme feasible or advantageous.

2. FRANCHISE QUALIFICATIONS.

(*b*) Assuming that communal electorates of some sort are retained we agree that each community should be given a voting strength proportionate to its numbers, and that the franchise system should be so contrived as to secure this result in so far as it may be practicable.

(*c*) Yes. The possession of property of some kind is in our opinion a suitable test of fitness for the franchise.

We suggest that the property qualification should be lowered so as to include any adult either man or woman who pays any tax however small.

(*d*) We are in favour of a qualification based on education independent of property, and suggest the Secondary School Leaving Certificate.

(*e*) No. We are not in favour of retaining the existing military service qualification, still less of extending it.

3. WOMEN'S SUFFRAGE.

(*a*) We are in favour of enfranchising the wives and widows of men entitled to vote under the property qualification, the age limit to be 21.

We regard such an enfranchisement of married women as a recognition of the family unit as the basis of national life, and of the *equal* partnership of men and women in that unit. We do not regard it merely as a doubling of the husband's vote. If a man has more than one wife, the senior wife only to be entitled to vote, and deserted wives to be entitled to vote even when not living with their husbands. So far as this Presidency is concerned, we do not consider that the man who has more than one wife is a serious obstacle to the enfranchisement of married women, as the number of men having more than one wife is very small. We consider that in India where the great majority of adult women are married, and very few of these married women hold property or pay taxes in their own name, it will be impossible to level up the present glaring disparity between the number of men and women voters unless married women are enfranchised.

If it be held that the enfranchisement of all adults paying any tax, in addition to the enfranchisement of the wives and widows of the men electors so qualified, will enlarge the electorate unduly, and add to the electoral rolls a number in excess of 25 per cent. of the total population, we urge that the property qualification should be Rs. 3 rural and municipal franchise in addition to the wives and widows of the men electors so qualified. Thus, if the limit to the number of the electorate forces a choice between lowering the property qualification to the payment of any tax, *or* enfranchising the wives and widows of the men electors, we would favour a higher property qualification, in order to have the wives and widows of the men electors enfranchised. If this enfranchisement of married women and widows is not accepted, we favour a lower literacy qualification for women, and in that case would enfranchise all literate women, *i.e.*, all women able to read and write a letter of a page in any

Memorandum by the WOMEN GRADUATES' UNION, MADRAS BRANCH. [*Concluded.*

language—while keeping the literacy qualification for men as the Secondary School Leaving Certificate.

(*b*) If a system of group representation as proposed in 1 (*f*) is adopted, we consider that the primary groups should contain both men and women, and in our answer to 1 (*f*) have suggested the method by which we would secure that of the secondaries elected by these groups, at least one-third should be women.

7. REPRESENTATION OF WOMEN.

We urge that *at least* 10 seats should be reserved for women in the Local Legislature—the seats reserved for women to be in certain selected grouped municipal areas.

We consider municipal areas more suitable for these reserved seats than rural areas, because—

(*a*) a larger number of educated women are to be found in municipal than in rural areas.

(*b*) It would be very much easier for women candidates to tour and canvass in municipal rather than rural areas. Both men and women in these areas to vote for the women candidates.

We are not in favour of a system of reserved seats for women by which no specific seats are reserved for women candidates and if no woman is elected in the open electorate, a certain number, say 10 reserved seats, are to be filled from those of the women candidates who, though they failed to secure election, polled the largest number of votes—this number being automatically reduced in proportion to the number of seats secured by women in the open electorate.

We are not in favour of this system being applied to the seats reserved for women because it has not been suggested that it should be applied to all communities who have special representation. All these suggestions of special franchise and representation qualifications for women are to hold only for the period of the next three elections.

Mrs. HENSMAN
Mrs. M. LAKSHMI AMMAL
Miss L. DEVASAHAYAM
} **Representing the Women Graduates' Union.**

1. *The Chairman:* Mrs. Hensman, do you represent the Women Graduates' Union?—I do not. I am independent. The other two ladies represent the Women Graduates' Union.

2. Could you tell me what the membership of your association is?—(*Mrs. M. Lakshmi Ammal*). It is between 80 and 85.

3. What is the qualification for membership?—Any woman graduate of any university who pays Rs. 2½ a year.

4. How many women graduates are there in the Madras Presidency, do you know?—I think our union is mostly representative of women graduates resident in Madras. We have not got many mofussil members. They do not find it practicable to join the union because they find it difficult to attend meetings. As for social amenities, the mofussil members cannot take advantage of them.

5. I just want to know how many women graduates there are in the Madras Presidency.

6. *Diwan Bahadur Ramaswami Mudaliyar :* There are 1,500 or more, I think. Every year the Madras University produces about 150 graduates.

3rd March, 1932.] Mrs. HENSMAN, Mrs. M. LAKSHMI AMMAL & Miss L. DEVASAHAYAM. [*Continued.*

7. *The Chairman:* I understand that the Union as such is in favour of enfranchising wives and widows of men who are qualified to vote on a property basis.—Yes.

8. And also in favour of enfranchising women who have got the Secondary School Leaving Certificate, not merely literate women?—Yes. One or the other. If the wives and widows are enfranchised, then the union thought it might not be necessary to lower the literary qualification for women.

9. Have you any estimate of the number of women who will be enfranchised on the wives and widows qualification?—I take it roughly about 50 per cent. of the men who are enfranchised.

10. Would not that mean that only the provident classes will be enfranchised and the poorer classes would not be enfranchised at all?—It would mean that, but if the males in one class are to be enfranchised, the women of that class should also be enfranchised. If the middle class is going to be enfranchised, the middle class men as well as women should be enfranchised.

11. You want to distribute the voting power so that all classes should get some representation. Is not that important?—It is important. But I believe it is held not to be practicable at present to extend the franchise beyond 10 per cent. of the population. But since at present the woman's question is a very important one, we thought it would be better that the women too should have a vote; this is for the next ten years or so.

12. You do not think that the literacy qualification will tend to bring a certain number of women belonging to the poorer section of the community on the roll, whereas the property qualification will not?—I think mere literacy has nothing to do with intelligence.

13. Nor is illiteracy either. Literacy makes it possible to have access to knowledge, written knowledge. It does not affect their intelligence, but it opens the way to knowledge by their having access to newspapers, etc. Is it not so?—I think the general sense of our discussions was that women who belong to a home where men are voters are likely to know a little of politics and political conditions and this would be the easiest way of enfranchising the largest class of women belonging to the same class as men voters.

14. I see you urge that at least ten seats should be reserved for women in the local legislature and that they should be elected in the urban areas from electorates consisting of men and women?—Yes.

15. You are against the proposal of the Madras Government for reservation of seats in the electorates all over the country?—This seemed a better plan.

16. Have you any idea of what the total number of women who will be enfranchised under your scheme will be?—(*Mrs. Hensman*): Under this scheme whereby wives and widows of men who are entitled to vote under the property qualification are enfranchised there will be roughly speaking, 2 million women in proportion to the 5 million and odd men that would be enfranchised under the new conditions.

17. You mean the new municipal and local board franchise?—Yes.

18. Your proposal is to get double the women as those proposed by the Franchise Committee, but to confine them substantially to those people who have the property qualification?—Yes.

19. *The Hon'ble Mary Pickford:* If the group system were introduced, would you prefer to have fairly large groups electing two or three people of whom one will have to be a woman?—Yes.

20. Do you feel that if there is a mixed group electing one member then women would not get so much chance of election?—Yes.

21. And therefore you favour what has been called the multi-member constituency?—Yes.

22. I see you are not in favour of abolishing the present direct franchise and the introduction of a completely indirect franchise?—Yes.

23. On that point you disagree with the memorandum which has been just put before us?—Yes. What influenced our decision was also this, that we had a feeling that adult franchise was not likely to be immediately practicable and we were considering what will be practicable for the next 10 or 15 years.

24. You realise the practical difficulties about enfranchising a very large number more than at present, and feel that it may not be possible to go all at once very far towards adult franchise. And I see that you say you would be prepared to accept a lower literacy qualification for women in case the enfranchisement of wives and widows is not adopted?—Yes, in case that is not adopted for any reason.

25. You really put forward two alternatives; firstly enfranchisement of wives and widows, and if that is not accepted, you suggest the lower literacy qualification for women in order to bring in a substantial number of voters. Is it not so?—I think at the present moment women have not got clashing or communal interests, and their interests are the same to whichever classes they may belong. And if the largest proportion can be enfranchised, it would be advantageous to the women's cause.

26. You do not attach importance to the one or the other method so long as a considerable number come on the electoral roll?—Yes. But we have some figures to show that merely by adopting the literary test, a lesser number of women would be brought on the electoral roll than by adopting other tests.

27. You say that you do not favour the proposal for reservation of seats put forward by the Madras Government. But I think there is a slight misunderstanding there because you say you are not in favour of the system of reservation of seats, whereby if no woman is elected in the joint electorate a certain number of seats are to be filled up by candidates who polled the largest number of votes. And this number would be automatically reduced in proportion to the number of seats secured by women in the election. I think there is a little misunderstanding there because the proposals of the Provincial Government were that these seats should be in addition to the seats won in open competition. Would that rather modify your view of the Government's proposals?—Even then we felt that the difficulties of women getting into the Council being such as they are at present, we should have a minimum of ten reserved seats.

28. But the Government want these seats to be in addition to those won in open election and of course you think that only as a temporary measure and not in any way to interfere with or discourage women from standing in general constituencies, your proposal may be adopted?—The whole thing is a temporary measure because we hope that in the next 25 years there will be almost a revolutionary change in the position of women.

29. Some method of adequate representation you want meanwhile?—Yes.

30. *Mrs. Subbarayan:* I understand that most of your members are in the educational and medical services. I suppose you have had a good deal of experience in public work?—Yes most of them are. They have some experience of public work.

31. Would you tell me whether your association would suggest that there should be separate polling booths for women?—Separate special polling booths would be necessary.

3rd March, 1932.] Mrs. HENSMAN, Mrs. M. LAKSHMI AMMAL & Miss L. DEVASAHAYAM. [*Continued.*

32. Do you think that if the wives and widows of property owners are enfranchised, women will think it derogatory to accept such a qualification?—Yes, as a matter of fact I know that some women do think so, but we thought it would be the simplest method of enfranchising the largest number of women.

33. Do you think it will perpetuate the idea, if such an idea does exist, that women are dependent on men?—It does exist. But at present the woman is dependent on her husband. She is not economically independent. But that does not mean that she has no status; we want that the status may be recognised in the vote also.

34. It has been pointed out that there has been one drawback to your proposals for reservation of seats. It has been pointed out that the women elected by municipal areas will pay more attention to towns than to rural areas. What is your answer?—There must be some drawback to every plan.

35. Do you think the women who are elected by the municipal areas will bear in mind the interests of the women of rural areas?—I am sure they would take an interest. But what we mean is that the main committees of women are in towns. Still in their conferences the resolutions deal equally—even more in fact—with the problems of women in rural areas than with women in urban areas. I do not think there is any danger of the interests of the rural areas being forgotton if the urban women represent them. If you look at any of the resolutions brought up at the All-India Women's Conference for the last five years, I think most of the resolutions refer more to women of rural areas than to women of urban areas.

36. I see that you, Mrs. Hensman, differ from the proposals put forward by the Women Graduates' Union. They ask for ten seats. You are satisfied with five or six!—(*Mrs. Hensman*): May I say that that answer to the questionnaire was sent in by me on the 29th January. Since then, on February 18—it was more than I hoped for—the Provincial Franchise Committee issued their report with that very hopeful paragraph that out of 200 and odd non-official seats, ten should be reserved for women. And so I beg leave to change my opinion about it. I informed the Secretary of the Franchise Committee of this.

37. I think you were under the impression that the strength of the House would be 132 and so you suggested five?—Yes. Now I want 10 out of 220. I would not hold to five.

38. It has been stated that women, even if they are given the vote, do not care to use it and will not use it even if their franchise is widened? What do you say?—I think they can see to it that everybody who has a vote will use it. They will be persuaded to do so, gradually.

39. *Sir Muhammad Yakub :* Don't you think that by giving the votes to wives and widows only, you deprive the unmarried talent of womanhood which is able to serve the country more than the married women, of the vote?—(*Mrs. M. Lakshmi Ammal*). Yes, that has been suggested to us. There is the literacy qualification and there is the property qualification. Women who own property or who have been educated up to Secondary School Leaving Certificate are to be enfranchised. If any women who have not these qualifications are left out, their interests will not be very much different from those of the other women who have been enfranchised. There will not be much difference in their interests.

40. Don't you think that a very large number of Hindu women have no property of their own?—Yes, but many of them are either married or widows.

41. You deprive those who are not married or are not widows of their vote. You do not want women to take part in the service of their country

before they are married?—You mean the people who have neither education nor property. They will be so few that we cannot think of them at present.

42. Do you think that in this system of giving votes to wives and widows, the opinion of woman will be always (as a slave to the husband) that of her husband or that she will be able to exercise her own judgment?—I do not think so. I think if a husband and wife hold different opinions on a question the husband is as much likely to be influenced by the wife as the wife by the husband.

43. You want to give votes to wives and widows on the property rights of their husbands. Would you give the husbands votes on the property right of their wives?—I don't quite know what interests the husbands have in the property of their wives or that there are many such cases.

44. Among the Mohammedans there are cases where the property is in the names of the wives?—If the husbands are neither illiterate and do not evade the tax I consider it should be *vice versâ*.

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45. *Khan Bahadur Aziz-ul-Huque*: Supposing women's representation is assured and you get 10 seats, in that case would you like the electorates to be mixed electorates, women and men, or that they should be confined to women?—(*Mrs. Hensman*): All of us are very much in favour of joint electorates. We feel that no separate electorates should be marked out for women.

46. *Major Milner*: You know that the proposal of the Provincial Committee will enfranchise 4 million men and 900,000 women, do you prefer that scheme to the group scheme whereby adult men and women would be enfranchised by the indirect system?—(*Mrs. M. Lakshmi Ammal*): Yes, we do favour that. We are against indirect voting for this reason that we feel that many people who have now a vote would be very loath to give up that vote. Another reason is that we have never found anybody who could tell us how the group system could be worked, whether territorially or alphabetically.

48. On the matter of your first objection do you appreciate that the feelings of those direct voters might be translated to the indirect voters because only one-half of the landlord people would be affected adversely, whereas the balance of, perhaps, 20 millions would be given indirect votes and therefore would be affected favourably?—We felt that that certainly would be a step towards enfranchisement but what the committee wanted at the time was a practical suggestion for enfranchisement and we felt that that would be only a difficulty as a temporary measure, and that the most practical thing would be to keep the direct vote

49. Assuming that the group system was thought by the committee to be practicable, would it alter your view?—We would take it and ask that if the groups were to be fifty-fifty or sixty-forty there should be three representatives, one a man, the other a woman and one either a man or a woman. If that could be introduced we would not be against it.

50. *Diwan Bahadur Ramaswami Mudaliyar*: Are you a member of the Women's Franchise Union?—Only a member of the Committee.

51. Your Union is not of the opinion that it is derogatory to be enfranchised as a wife voter?—We had very little time to consult the Union.

52. Your Union is certainly of the opinion that it is not derogatory?—No.

53. You think that husband and wife both combine to build up the family and the property is as much the wife's as it is the husband's?—Yes.

Note of Dissent by Dr. (Mrs.) S. MUTHULAKSHMI REDDI.

APPENDIX.

Notes of dissent by Dr. (Mrs.) Muthulakshmi Reddi, Dr. Lazarus, Dr. Sattur, Miss Myers, Miss C. N. Nallamuthu Ammal and Miss C. Gordon, to the "Answers to the Franchise Questionnaire" submitted to the Indian Franchise Committee on the 3rd March in the name of the committee of the Women Graduates' Union, Madras.

I.—NOTE OF DISSENT BY DR. (MRS.) S. MUTHULAKSHMI REDDI.

As no proper notice was given for the meeting on the 22nd February and as no intimation was received by me as well as by six others for the meeting on the 24th morning 8-30 A.M., I have every reason to complain that I was not given an opportunity to express my views on this important subject to my fellow members on the committee. I wish to state here that I have signed the Joint Memorandum after much study, joint deliberation and thought and I still adhere to the views expressed therein.

I shall briefly enumerate my reasons. The underlying hypothesis on which my views are based is "Equal rights and equal opportunities for all" irrespective of caste, sex, or creed and men and women shall possess equal citizen rights.

Marriage Qualification.

Therefore I strongly oppose the suggestion that the wives and widows may be enfranchised on the property qualification of their husbands alive or dead. The very idea of enfranchising only the senior wife and the deserted wife, thereby disqualifying the junior wives in the family who are only victims of the evil custom of polygamy for citizen rights for no fault of theirs, is totally repugnant to me and will certainly not commend itself to any thinking women.

The reason given in the above "answers to the questionnaire" for enfranchising the wives and widows of men entitled to vote under the property qualification is that "the enfranchisement of the married woman is a recognition of the family unit as the basis of national life and of the equal partnership of men and women in that unit." I submit there can never be an equal partnership where the women are not only economically dependent upon their men but also made to depend upon their men even for their citizen rights. As it is, they cannot have any status independently of their men and we add another code to the ones already in force to accentuate the utter dependency of women upon men.

A study of the provisions of the bill for the prevention of polygamy among the Nambudris, a class of orthodox Brahmins in Malabar which has been introduced in the local legislative council will prove how harmful is this custom even among a certain section of people and also the repeated resolutions of the All-India Women's Conference on this same subject will show how much women suffer from this evil.

Therefore I am strongly of opinion that a woman should be a citizen by her own right and her rights of citizenship should not be based on an extraneous qualification like marriage.

Nominal property qualification.

As compared with men very few women hold property in their own names or right and even if the property qualification for voting is made nominal women are bound to suffer so long as our social system remain as they are.

Adult Franchise.

If a literacy test of any kind be introduced under these circumstances women will be placed at still greater disadvantage for the obvious reasons

that there are many more literate men than women. Moreover literacy is no education and the mere ability to read and write or even passing the Vth standard cannot form a test of one's power of understanding and judgment.

Adult Franchise.

Under these circumstances I consider the immediate adoption of the principle of *Adult Franchise* to be the best and the most acceptable mode of securing political equality between the men and the women of this country.

Special representation for women.

While I do recognise that at the initial stage many women may not be returned to the Legislative bodies, I hold strongly the view that no good purpose will be served by having a number of undeserving women in the Legislature. Even two or three women of capacity, courage and conviction will be sufficient to press the women's point of view, and would be an asset to their sex.

From my own experience on the Legislature, I can speak with confidence that there are many men in the Legislature who are anxious to help the advancement of women as the forward among our men realise that " woman's cause is man's and they rise or sink together ". Of course, there are certain matters relating to women and children on which even our best intentioned men lack experience and want advice which can be supplied only by a few capable and courageous women. As it is, we have not many women who can afford to devote themselves to public work and who possess the necessary knowledge and capacity for the same. From my own experience of the recent events, I have no doubt that capable women will be recognised and returned if they are put up and supported by organised women associations in the land.

I myself was chosen by Government from a list of women submitted by the Women's Indian Association as I was associated with its work since its very inception and I did not belong to any party or to any particular creed. As there are springing up throughout India powerful and influential women organisations, I do not think there will be hereafter any difficulty in having women returned through such associations to the Assembly and Councils.

The All-India Bodies will put up candidates to the Assemblies and the local women's organisation will send candidates to the councils and they are likely to put up worthy and deserving condidates who can best advocate their cause.

Bombay returned two women workers to the Municipality, one of whom is the social section secretary of the A. I. W. C. and topped the poll. In Madras an Anglo-Indian Lady has been returned twice to the city corporation through open elections.

A few capable women even if defeated in an open election would benefit their constituency by the amount of propaganda done during election on the need of women's reforms and thus would make the way easier for women that follow them. More than making laws the essential factor for building up a democratic constitution is public education and public enlightenment which would be possible only under a system of adult franchise, joint electorates and open elections. The fear that is entertained in certain quarters that Indian women would find it difficult to be returned in a general constituency or would hesitate to face open election is thoroughly unfounded. The women that have dared the police and the lathi charges that have had the courage to face even the drunkards and that have gladly gone to prison giving up purdah will not hereafter easily acquiesce in a position of utter subordination either at home or outside.

Note of Dissent by Dr. (Mrs.) S. MUTHULAKSHMI REDDI. [*Concluded.*

I am against reservation because it makes it easy for any woman to get in as the seats have to be filled up somehow or other. Both deserving and undeserving will get in and if all of them are not sensible enough to be united in their demands, much harm will be done to the women's cause. After studying the evidence before the Lothian Committee and after realising how unseen forces have been at work to divide the ranks of women and to disturb the unanimity of the decisions arrived at by the All-India Women's Organisation, I am all the more convinced that people who seek posts of honour and responsibility should exert to make themselves worthy of the same. The above test is much more necessary in the case of women than in that of men as women have got other important functions to perform namely those of making a good and happy home and the rearing of good and patriotic citizens for the country, instead of wasting their energy and time at a place for which they are not quite fit.

As we expect the new constitution to be a fully responsible Government the State should concern itself only with the creation of equal political rights and equal opportunities for all irrespective of caste, sex, creed or race and the details of working should be left to the people themselves. By providing expedients and protection at the very beginning of the new constitution for certain classes and communities we certainly brand them with the mark of inferiority and incapacity.

Therefore the stand that the three organised women associations have taken on this question of reservation is in my opinion a right and dignified one.

II.—NOTE OF DISSENT BY MISS C. GORDON, B.A., L.T., SENIOR LECTURER (KINDERGARTEN), TEACHERS TRAINING COLLEGE, SAIDAPET.

I am in perfect agreement with the two principles, which are essential to the best interest of women of India, namely:—

(1) That the terms of the Franchise shall be the same for women as for men without special exceptions.

(2) That the terms shall be such as to enfranchise as nearly as possible the same number of women as of men voters. Therefore the proposal for enfranchising the wives and widows on the property qualification of their husbands alive or dead is not acceptable to me and also the provisions of protective expedients for women as against men.

Therefore I am opposed to "Protective Legislation" for women as it is based upon a supposition that women cannot succeed in open competition with men in the public life of the country.

III.—NOTE OF DISSENT BY MISS C. N. NALLAMUTHU AMMAL, M.A., L.T., LECTURER, LADY WILLINGDON COLLEGE, MADRAS.

I stand for adult franchise and no reservation and therefore dissent from the views expressed in the answers to the franchise questionnaire submitted by the six members of the Committee of the Women Graduates' Union to the Lothian Committee.

IV.—NOTE OF DISSENT BY MISS MYERS, B.A. (HONS.) M.A., ACTING PRINCIPAL, QUEEN MARY'S COLLEGE, MADRAS.

I agree with Dr. Muthulakshmi Reddi that marriage is a highly questionable qualification for enfranchisement and I dissent entirely from the assumption that political opinion is a family affair. To allow only a man's senior

wife a voice in the election is indeed a lamentable proviso. It tacitly admits that a woman, individual entity is of less importance than her relationship to a man.

At the same time I do not think that the country is yet ready for complete adult suffrage. I think that as things are at present, the marriage qualification will be worthless and complete adult franchise impracticable.

Let women enter the lists on equal terms with men, the various women's Unions doing all in their power to alter the property laws and in every way enhance their opportunities.

With Dr. Muthulakshmi Reddi, I am opposed to the reservation of seats for women in the Legislative Council. It is quality not quantity that will count in the earlier years.

V.—Note of dissent by Dr. Lazarus, B.A., M.B.B.S., Superintendent, Government Victoria Hospital for women, Madras,

AND

VI.—Dr. Satur, R.M.O., Government Victoria Hospital for women, Madras.

1. We do not agree that marriage should be the basis of franchise for women.

2. We want the terms of franchise to be the same for both men and women.

3. We are not for reservation of special seats for women but if no women are returned by open election we favour the co-option of deserving women by the elected legislature.

Memorandum submitted by Mr. M. S. SRESHTA, M.L.C., Indian Christian (Catholic).

When I recieved from you a questionnaire in connection with the Franchise Committee, I did not send a reply as I felt that my views would be adequately placed before the Committee by others as there was not much difference of opinion in regard to the matters involved. I however, find now that the question of composition of the local Legislative Council and the question as to whether the Minority Communities should have not special electorates, may be considered by the Indian Franchise Committee now sitting. Had I known that this would be the case, I would have offered myself as a witness for examination by the Committee. In these circumstances, I wish briefly to state my views on the two questions referred to. I request that this letter may be placed before the Indian Franchise Committee. I am prepared to implement it by my evidence if it is required. I would like to add that the Catholic Association of South Kanara which is one of the best organised Christian Association of India, has desired me to represent its views to the Franchise Committee.

Composition of the Local Legislative Council.

I understand that while in the Minorities Pact arrived at when the Round Table Conference was sitting in London, 13 seats were recommended for Indian Christians in the Local Legislative Council, the Local Franchise Committee has recommended 11, and the Madras Government 9. I do not know what formula was adopted for fixing the number. The present number of Indian Christian seats in Council is 5. Two of the Depressed classes members being Indian Christians the total number of Indian Christians in the Council becomes 7. Under the future constitution no Indian Christian will be returned to the Council by the depressed classes. It follows that

while the number of total seats in Council are to be approximately doubled the number of Indian Christians would not be increased in proportion. If the recommendations now made are approved, the Indian Christian Community would be in a worse position than at present. I would therefore press for the number of seats being fixed at 13 as suggested in the Minorities Pact.

FORM OF ELECTORATE.

The bulk of the Indian Christian Community is in favour of special Electorates. I presume that the principle is that the Minority Communities should be allowed to have the Electorates they desire. They may be expected to know what is best in their own interests. No one knows better where the shoe pinches than the one who wears it. Following this principle, I maintain that the Indian Christian Community should be granted special Electorates. The argument in favour of special Electorates have been so often stated that I need not repeat them in this letter. I would only say for the present, that if the object is to send to the Council a person who is a true representative of a Minority Community, he should be selected by the member of that Community and not mainly by the members of the Majority Community as would be the case if joint Electorates with reservation of seats are given. No doubt the advantage of influencing voters belonging to the Majority Community, would be lost if members of Majority Community are not included in the joint Electorates. But if the Majority Community is really sincere in pressing Minority Communities to accept joint Electorates and are desirous of giving Minority Communities the advantage of influencing voters belonging to the Majority Community, there is an easy solution. Members of the Majority Community might in addition to being granted special Electorates be allowed to vote on joint Electorates for Majority Community candidates without being given the privilege of being returned to the Council by such Electorates. I understand that the Justice Party is prepared to recommend this solution and I would strongly urge that this solution may be accepted. It will be quite fair and in accordance with the present day attitude towards the Minority problem to give weightage to Minority Communities.

EDUCATION.

There is a provision in the treaties entered into by the Allied Powers with new States formed after the great War, that whenever forty parents belonging to a racial, religious or linguistic minority desire that a school should be established for their children, the request should be granted and a *pro rata* grant should be made irrespective of the existence of any other school however close it might be to the site of the proposed school. The inclusion of this provision in the new Constitution and of other provisions to enforce it would remove a long standing source of discontent among members of the Indian Christian Community and do away with the constant friction that the present education rules give rise to. The members of the Indian Christian Community are desirous that their children should receive secular education in a religious atmosphere. So long as the Constitution affirms that it would in no way interfere with the practice of one's religion within the bounds of morality, it is not open for the State to question the attitude of a religious minority in regard to combining religious and secular education. It is incumbent, for especially Catholic Christians that they should send their children to schools where their religion is taught; this is prescribed by the Canon Law which is binding on the conscience of Catholics.

The attitude to be adopted towards Minority Communities has been gradually evolved; and now that a new Constitution is on the anvil, the

principles by which the framers of this Constitution are to be guided should be up to date ones, *e.g.*, those that were adopted in the treaties with New States already referred to.

According to the existing Education Rules, it is not only difficult to obtain recognition of Elementary Schools but also to obtain adequate grants. For instance, although a very large sum of money is spent for Elementary Education by the Mangalore Municipal Council, no contribution is made out of this amount to Catholic Schools. As Catholics are bound to send their children to their own Schools, it follows that the Catholics of Mangalore bear a double burden. They contribute a large portion of the taxation which goes to maintain the Municipal schools which are not used by Catholics; and they have to bear the cost of their own Schools.

Safeguards in other matters are also required.

I have stated my views briefly and am prepared to amplify them, if required.

Mr. M. S. SRESHTA, M.L.C., representing Indian Christians (Catholics).

1. *The Chairman:* You are representing the Indian Christian community?—Yes.

2. The whole of it?—I have been authorised to represent the Catholic Association of South Kanara.

3. What is the Indian Christian population of this province?—I think the population is about 1,733,243.

4. That is in Madras?—The Madras Presidency.

5. The Indian Christians as a whole?—Yes.

6. How many Roman Catholics and how many Protestants are there?—A little more than half are Catholics and the rest are Protestants.

7. I understand you want a separate electorate for the Indain Christian population?—That is so.

8. How many seats do you ask for?—The minorities pact suggested 14 seats to be given to the Indian Christians.

9. You have seen the proposals of the Madras Provincial Committee?—11 are suggested by the Local Franchise Committee.

10. How many have you at present?—We have 5.

11. And you propose how many?—I propose 14, the number given by the minorities pact.

12. Seeing that the house is only going to increase from 132 to 220, on what basis do you want 14 as opposed to 5?—Besides the five, two of the representatives of depressed classes are Indian Christians, making a total of seven Indian Christians in the Legislative Council. I suggest that on the basis of the number given to the Moslem community, which I quite admit they deserve. The Local Government has said that the Moslem community has always had a weightage, and my contention is that the same principle should be applied to the Indian Christian community. That is also the opinion of the Minorities committee. The exact ratio will have to be worked out.

13. What is the number of the Moslem community?—In the whole Presidency it is at present 3,305,937.

14. We had some evidence given in Bengal to the effect that the Protestant section of the Indian community do not want separate electorates, but reservation of seats. Is that correct?—I think that statement is not correct.

In the Madras Presidency both Indian Christian Catholics and Protestants want separate electorates.

15. *The Chairman.*—(Addressing Chairman, Provincial Committee). Have you any evidence on that point?—Yes, the Protestants also want separate electorates.

16. Is there any evidence from the President of the Association to that effect?—Yes.

17. You have no evidence from this community?—We examined no witnesses but there was one statement. If I am not mistaken the Indian Christians sent a statement to the Statutory Commission and in that memorandum it was stated that they wanted separate electorates.

18. *Sir Ernest Bennett:* What is the number of your caste of Indian Catholics?—About 850,000; half the total number.

19. Your main desire for representation is in regard to the vexed question of schools?—That is one of the things. Another thing is the question of law, the law by which our community is to be governed, for instance, in the matter of marriages and so on. The Catholics, for instance are guided by Canon law. The third point would be as regards Ecclesiastical property; for instance in the Madras Presidency there has been some difficulty as regards property which has been transferred to the Church. It has been held that property cannot be transferred to the Church because the Catholic Church is under the Pope who is a Foreigner. When questions like that have arisen, for obvious reasons we desire separate electorates. There are other points as well but those are the chief which I have mentioned.

20. *Mr. Tambe:* Will you please explain paragraph 2?—The depressed classes are represented by certain members in the Council; two of them are Indian Christians. Hitherto there has been no rule that the depressed class community cannot be represented by a Christian. But in future the seats of these Christians who represent the depressed classes will cease to be filled by Christians.

21. So there are depressed classes among the Indian Christians?—Yes.

22. In what proportion?—I am unable to state that straightaway.

23. 60 per cent.?—Not so much. I am sorry I cannot give the figure. I think it must be less than that.

24. Are you prepared to give them separate representation within the Christian community?—I think we could arrive at some convention whereby some seats should be given to the depressed class Christians.

25. And Protestants?—It would not be necessary in the case of Protestants because territorially we are divided. There are certain areas in which the Protestants are in the majority and certain areas where the Catholics are in the majority and we are prepared between ourselves to come to a convention whereby each sect gets a proportionate number of representatives.

26. What weightage would you give the depressed classes in your community?—It would not be necessary to give them weightage because the depressed classes have representative members of their own and within our community we would be able to give an adequate number.

27. Are the Indian Christians whom you call depressed classes returned as depressed classes in the census?—No; of course in the census a good many may call themselves depressed classes and not Christians; there has been some confusion, but if it is known they are Christians they are put down as Christians and not as depressed classes.

28. *Sir Muhammad Yakub:* Do you mean to say that even when a man is converted to Christianity the characteristics of the depressed classes are still felt by him?—Yes: so far as the social status of the depressed class man is concerned it is not quite altered.

29. There is the caste system among the Indian Christians?—Yes, to some extent.

30. Is the feeling of the depressed classes among Christians as it is amongst the others?—No.

31. As regards the voting qualification you have now the same qualifications as non-Muhammadan voters?—Yes.

32. Has that in any way adversely affected you. Have you the same voting qualifications proportionately?—I am not prepared to answer that question as it does not come within the points I am asked to give evidence on. I have not studied this matter.

33. *Diwan Bahadur Ramaswami Mudaliyar:* These two gentlemen who are nominated to the Legislative Council are nominated as "depressed class" and not as Indian-Christians?—Yes.

34. I shall be glad if you will explain a sentence in the penultimate paragraph of your statement. You say that "although a very large sum of money is spent for elementary education by the Mangalore Municipal Council, no contribution is made out of this amount to Catholic schools". I take it that the municipality does not make any contribution to any aided school whether, Catholic, Protestant, Hindu, Muslim or any other denomination?—That is so.

35. It is not a special grievance with reference to Catholic schools?—There would be a similar grievance on the part of the Protestants.

36. But under the rules, the municipality runs its schools, I take it that Catholics are entitled to join those schools if they so chose?—That is so.

37. Apart from that, these Catholic schools receive a grant-in-aid from the Government direct?—That is so.

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38. *Mr. Daniel Thomas:* Among the Christian members of the Legislative Council during the last 10 or 12 years there has been no question between the Protestants and the Roman Catholics?—None whatever.

39. I take it that the Catholic members and the Protestant members sitting together represent the whole community?—Absolutely.

40. From your experience of the Legislative Council for the last 10 or 12 years, you will agree that both the Catholic and the Protestant Members have been safeguarding the interests of the depressed classes themselves?—That is so.

41. There is no need for depressed class Christians to be specially represented by the men of the depressed class Christians?—No, not necessary.

42. You will also agree that during the last few years untouchability has very largely been wiped out?—That is so. I might say that on the West Coast from which I come there is practically no untouchability at all. The depressed classes are treated in the same way as the caste people. There is no separate part of the church allotted to the depressed classes.

43. Separate reservation in only in certain churches and they are very few in number?—Their number is getting less and less.

44. So that the Christians are determined to wipe this out?—That is so.

45. So far as the number of Christians in the Council is concerned, ever since the Reformed Councils there have been two nominated Indian Christians?—There have always been two extra members nominated.

46. In the last Council Mr. G. Nanuvuyir Pillai was nominated to represent the Protestant Christians including the depressed classes?—I am afraid that I am not aware of this.

47. You may take it from me that that is so?—I was not in the Council at the time.

48. In the Legislative Council proceedings his name appears as 'nominated Protestant Christians'. I can refer to the book, if necessary. I take it that considering the proportionate population of the Muslims and the Indian Christians you would require, in fairness, that at least half the number of seats allotted to Muslims should be given to Indian Christians?—A little more than half. On the arithmetical ratio we are more than half the Muslims.

49. At least half?—Quite.

50. May I take it also that the Indian Christians play a very large part in the educational institutions of this province?—That is so. A very large number of the educational institutions here are conducted by the Christian church or the Christian community. For instance, on the West Coast the largest men's college is carried on by the Catholic community the largest women's college is also carried on by the Catholic community.

51. And so far as the women are concerned, the Indian Christian women are very much advanced?—Very much more advanced than others.

52. A large number of them are employed in various capacities?—That is so. Literacy among Indian Christians is greater than any other community in India.

53. Yesterday a very interesting suggestion was made by Diwan Bahadur Ramachandra Rao, that if any Indian Christian does not like to continue in a separate electorate, he might be given a chance of withdrawing his name from the special constituency. Would you support that suggestion?—I would not support that suggestion. I may add only one more thing if I am permitted to do so. I have already said that the principle of weightage must be applied to the Indian Christian community, if it is to be applied to the Muslim community. I quite see the justice of applying the principle of weightage to the Muslim community and the principle behind all minority treaties in Europe has been that weightage should be given to minority communities and I feel that great injustice will be done to the Indian Christian community if this principle is to be applied to the other minority communities and not to the Indian Christian community.

Workmen from the Buckingham and Carnatic Mills.

(Mr. V. NATESA CHETTIAR was the spokesman.)

1. *The Chairman:* I understand that you represent various mills Is that correct?—We represent the Buckingham and Carnatic Mills.

2. You represent the labour of those mills?—Yes.

3. Two alternatives have been put forward for the representation of factory labour in the Madras Provincial Council. One is that the trade unions should elect, by whatever procedure is provided, two or three representatives in order to speak for labour in the legislature in the same way as the Chamber of Commerce representatives speak for capital or planters speak for capital or the landholders speak for capital. That is quite apart from the vote in the ordinary constituency and additional to it. According to this proposal the trade union is the basis. The other proposal is that all workmen in the factories who are in receipt of Rs. 15 a month should be grouped into a special constituency and they should themselves elect two or three representatives on the nomination of anybody who likes to be nominated. Have you thought over those two alternatives?—I have thought.

4. You have seen the proposals of the Provincial Committee and probably that set you thinking. Could you tell me your views on that issue?—Our point is this. We want to be represented by the workers only and not through trade unions or any other union because a very small number of us are in the trade unions. Even 20 per cent. are not members, specially in the Madras Presidency.

5. Is anybody of you gentlemen a member of the trade union?—Yes, almost all of us are members of the Buckingham and Carnatic Mill employees Union.

6. It is a textile union?—Yes. It is a registered union. We want to say this, that if a vote is given through the trade unions it is a block for all the employees. We want to be represented and we want the representative to be voted for by the workers themselves. We want that workers should be elected by workers—their own body. They should not be induced or instructed by others.

7. Supposing the union was developed as it is in England or Germany and it included all the textile workers and it had a regular system of election from the bottom up to the top, would you still be of the same opinion or would you then approve of election through the trade union?—That will be after some time. We might have a change in our ideas. It is not a question of one year. It will take some time.

8. Your objection to the trade union is that it is not sufficiently representative to speak for the workers in the textile mills?—Yes.

9. If that was so organized, you may reconsider your view?—Yes.

10. *Mr. Bakhale:* May I know whether you were supplied with a copy of the questionnaire issued by the Indian Franchise Committee?—No. We saw it in the papers.

11. Who asked you to appear before this committee. Is it of your own accord or were you asked by somebody to come and give evidence?—We were told that we would be asked to give evidence.

12. By whom?—One of our Welfare Superintendents told us.

13. You were told by one of your Welfare Superintendents that you would be asked to give evidence?—Yes.

14. Did you show your statement to that Superintendent?—No. But we had a talk with him.

15. And he approved of it in the talk?—He said you may differ from one another, it does not matter and you may go and give evidence.

16. *Diwan Bahadur Ramaswami Mudaliyar:* Your association is different from the Textile Workers Association which was called the Madras Labour Union some time back?—It is different.

17. Most of the employees in your mill are members of that Association?—They are in both.

18. The membership of your union is 300 and odd?—Not exactly.

19. What is the strength?—3,000 and odd.

20. And what is the strength of the Labour Union?—That we do not know. They say it is 5,000.

21. The Labour Union includes the employees of the Choolai mills also?—Yes.

22. *Mr. Bakhale:* But according to the annual report of the Registrar of Trade Unions the membership of your union is 868?—Whenever there is some difficulty more members come in and when there is no difficulty they go out.

23. Have you got any difficulty at present?—Whenever there is a strike more members will get together.

24. *Major Milner:* That being so, you don't attach any responsibility for that state of affairs to the union. Do you?—Yes. We have no faith in the union at all.

25. I understand you to say that whenever you are in difficulty you rush to the union and when the union has extricated you from that difficulty you rush out?—We have not gone to that yet. Because we are in an infant stage yet, it is very difficult to educate our people.

26. You have not educated your people to the extent that they will remain members permanently?—Yes.

27. The latest report shows that the membership of your union is only 326. How many workers are there in your mills?—About 8,000.

28. How many are there in the other union?—We have no idea.

29. Is there a greater number in that union than in your own?—We express our own views.

30. In answer to a question from the Chairman you said that you want one of your own workers to represent you in the legislature?—Yes.

31. Have you men competent and able to represent?—Naturally we will come to that position.

32. Are there men at present in that position?—No, we are not at present in that position.

33. None of you gentlemen is competent to represent your fellow workers in the legislature?—(*Another member of the deputation*) Before answering that point I shall place before the Committee the present condition of the labourers. The labourers of to-day are different from the labourers of 25 years ago. The labourers have been keenly watching the movement under the Trade Unions Act and under the Factories Act. But still when compared with other nations they are far below the standard. About 50 per cent. of the labourers are illiterate men and 25 per cent. cannot spell their names and 20 per cent. understand their respective languages, Tamil, Telugu and others and only about 5 per cent. understand English. Open competition for them is not feasible for them at present. Some special representation should be arranged for the factory workers.

34. That being the state of affairs, which we all agree is a very unhappy one, is not that all the more reason why you should unite and combine together in some form of organisation whatever it may?—It is.

35. So that generally you would favour organizing together in the form of union or some similar association to protect your mutual interests?—It cannot be done in one day. It will take some years.

36. Let us admit that for the sake of argument, although apparently there are unions which can do that?—In the next 20 years we will combine and we will ask for further privileges.

37. If you never make a start you will never come to the state of affairs you wish to! You know if a trade union is properly constituted, properly registered and so on, one of the rules in India is that there should be a majority of the workers on the executive?—Yes.

38. That being so, it is quite in the power of the workers to run a union and control it?—Yes.

39. If those rules were complied with the workers would have control of it?—But generally in this country the employers look with suspicion on those labourers who take an active part in the organization of labour.

40. In this country you say employers look with suspicion on those who take an active part in the workers' trade unions?—Yes.

41. Is that one of the reasons why your membership is so small?—Workers are afraid to be members of the union.

42. But, if all the workers combine together and become members of the union and are united they will be able to stand. Would not they?—Efforts were made in the past to unite them but they failed. Even the Whitley Commission, when they visited Madras, tried to amalgamate the Madras Labour Union and our Employees Union. But there was some difficulty about the appointment of the executive officials and our Employees Union did not agree to be amalgamated with the Madras Union.

43. Is not that matter entirely in the hands of the work people themselves. If you stand together and elect your own officials, is it not in your own hands to rectify the state of affairs which exists to-day?—Though it is, yet it is not practicable in our mills.

44. *The Chairman:* Major Milner, let us get at what the facts are rather than the possibilities.

45. *Major Milner:* I understand you to say that the fact that you do not all stand together is one of the reasons why you have not been able to organize the unions on a proper basis?—Yes.

46. Is there any other reasons besides that?—Yes.

47. What?—These unions are organized whenever there are strikes and all sorts of other politics are also introduced into the trade unions. The workers are asked to sympathise with the political movement and thereby the labourers are put to the hardship of being out of work and so on and the labourers therefore generally lose faith in their unions.

48. If you all united and paid into a common fund and sustained each other, there would be no need to lose faith. What is the difficulty in organizing your union on a proper basis. You have said one is the suspicion on the part of the employers against those who take an active part in the movement. Is there any other reason?—Another reason is that labour is not much educated in the trade union movement.

49. Are there any other reasons?—None, as far as I know.

50. On this matter of representation of labour, if a union is properly constituted and all the officials are elected by yourselves and you are duly registered, you will appreciate that it will have an office with sources of information. Don't you think that they will be in a better position to represent your interests than an ordinary individual worker without those facilities?—Exactly. If trade unions are organised in the way they ought to be, certainly it would be beneficial, but I don't think at the present moment the labourers have got any vote in the trade unions and so in the constitution which is going to be framed surely the work people will not be represented.

51. May I put it finely this way. If a trade union was properly constituted in the way I have indicated whereby the workers have control, would you be willing that they should meet together in a union and elect one or more representatives to represent the labourers' cause in the legislature?—Yes.

52. It is only because they are badly constituted that you advocate direct representation by the workers?—Yes.

53. *Khan Bahadur Aziz-ul-Huque:* Supposing the trade unions are given the right to send members to the Legislative Council would that be an encouragement for the workers to join the union?—That we have not got at the present moment.

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54. *Mr. Butler:* Would you agree to the group system being introduced into the mills?—No. That privilege will be abused.

55. You would each have a vote?—Yes, in the labour constituency.

56. You would agree that anyone getting Rs. 15 a month should have the vote?—Yes.

57. Will that be fair?—That would be quite fair.

58. The system suits you quite well?—Yes.

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59. *Mr. F. E. James:* Did you discuss with your employers before you came here the replies that you now gave?—No.

60. These are your own replies?—Yes.

[*Mr. K. Kuppuswami (one of the workmen)*] May I make a statement, My Lord? You have asked just now whether we considered the Franchise Committee's report or the Government report. We are glad that you have given one more seat to labour. Hitherto the labour seat was filled by nomination. Even this increased representation proposed is not adequate for our interests seeing that you have proposed to give 8 seats for employers. I request the committee to give equal representation to labour.

The next thing that I want to mention is that we would be satisfied if one of us is elected by ourselves. It may be that we were not able to put forth our case as strongly as outsiders till now. Now we have confidence in ourselves and hope to be able to stand on our own legs.

The third point that want to state is that we do not want separate electorates. We want joint electorates with reservation of seats for representation of factory labour and so on. I request the committee to give us one seat for the Madras city also.

61. *The Chairman:* You want one labour seat in the general constituency?—Yes.

Workmen from the Madras and Southern Mahratta Railway. (Mr. KUPPUSWAMI was the spokesman.)

1. *The Chairman:* You represent the workmen on the Madras and Southern Mahratta Railway?—Yes.

2. Is the labour organised in a union?—Yes.

3. What is the size of the union?—We are not in a position to give the number, because the question has not been referred to the union.

4. Are you members of the union?—We are members, but we do not know the exact strength of the union.

5. Are any of you on the executive of the union?—We have not come here as representing the union, but only in our individual capacity. We were asked by the administration to come and give our views here and we have come for that purpose.

6. Who asked you to come here?—The Works Manager.

7. You heard the evidence which the previous witness was giving?—Yes.

8. You heard the points which were under discussion?—We dislike all that discussion. That is contrary to our opinion.

9. What is your view?—We want adult franchise.

10. Do you want any special representation for labour in the council to counterbalance the representation of capital?—Yes.

11. On what basis will you have that representation?—In joint electorates.

12. You want reservation of seats for labour?—We want more seats.

13. In the council, capital has certain representation through organisations like the Chamber of Commerce, The Planters Association and so on. The question is whether you also in a collective sense require the same representation and if so on what basis it should be given? If you say separate electorates or joint electorates how could it be applied to railway labour which is scattered all over the province?—We want adult suffrage and a joint electorate through organised unions.

14. You say that the trade unions should elect your representatives?—Yes.

15. You say that the railway union should be the electing medium of labour?—We have got our labour unions well organised and through them our representatives should be chosen.

16. I would like to know whether special representation for labour should be secured through the railway union or whether it should be secured on the basis of the proposal put forward by the Provincial Franchise Committee?—We want representation through the railway union.

17. Is that the view of all of you?—We want the labour representative to be selected by the union consisting of all the workers on the railway.

18. Until the union of all the workers on the railway is formed, what are you going to do?—75 per cent. of the employees are members of the union and that is as good as all.

19. How many of you are members of the union of the Madras and Southern Mahratta railway?—We are unable to give the number. We have come here in our individual capacity.

20. I want to know the strength of the union?—A reference to the Union will clear your doubt. They will supply you with the figures. As our union was not invited to give evidence, we have not come with the figures.

21. *Mr. Souter:* I am told there are 26,000 members on the union. You do not represent the union? You have come in your individual capacity?—Yes.

Mr. Basudev: That number includes members from outside the Madras Presidency.

22. *Mr. James:* I understand that the effective strength of the union with paid-up membership is now 9,000.—According to our union rules, even a member who pays one day's wage is a member. It comes to 26,000. There are 5 to 6,000 other members who have paid part of their subscription, but we do not consider them as members of the union.

23. *Mr. Basudev:* You say that only through the railway union candidates should be sent up to the legislative council. What about the other classes of labour?—We do not object to other interests being represented.

RAHMAT UNISSA BEGUM } Representing the Madras Presidency Muslim Ladies' Association.
NAZIR HUSSAIN BEGUM }

(Examined in Purdah.)

The Hon'ble Mary Pickford: The following is the statement made to us in *purdah* by Rahmat Unissa Begum and Nazir Hussain Begum:—

"We are the Vice-Chairman and Secretary of the Madras Presidency Muslim Ladies' Association. We are speaking for our association. We want adult franchise, registration to be made on an application to the registrar on payment of a small fee. We are against any property qualification as also against any sort of literacy qualification for the reason that

3rd March, 1932.] RAHMAT UNISSA BEGUM & NAZIR HUSSAIN BEGUM. [*Continued.*

Muslim ladies do not usually get much of an education. We are therefore against literacy as a test. We want separate polling booths if possible, but if that is not possible everywhere we would be content if separate entrances and exits are opened for women in polling booths with women polling officers."

Rahmat Unissa Begum said: "I want absolute equality with men all round. I am against any special electorate or reservation of seats for women."

Nazir Hussain Begum said regarding the question of special representation on the council in the event of no women being elected, "I have to say that it is important that women should be represented on the council. We have already got equal rights with men and we have come here not for securing it. We have come here only for the purpose of considering the franchise question."

MADRAS.

Dated 4th March, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, AND OF THE MADRAS PROVINCIAL FRANCHISE COMMITTEE.

Khan Bahadur P. KHALIF-UL-LAH SAHIB, M.L.C.

1. *The Chairman:* Good morning, Khan Bahadur. I understand you have come here to state the view of the Muslim population of Madras.—Yes; so far as I understand it.

2. Do you represent any special association or do you speak in your individual capacity?—I do not represent any special association.

3. Would you make any statement? I understand that you have no written statement of your views on the question of the franchise. I may say that this committee is not going to settle the percentage of seats as between Hindus and Muslims. You may make a statement on behalf of the Muslim population on the franchise question.—In general I would like to state that the franchise should be enlarged to at least ten per cent.

4. You want direct election or election by the group system?—I am not in favour of the group system.

5. In that ten per cent. what sort of voting power would you give to women?—So far as the voting qualification is concerned, I would like to say that any woman paying any taxes may be given the vote. I would like to add also that anyone who can come under the literacy test, namely anybody who is able to read or write, may be given the vote.

6. In other words, you agree with the proposals of the Provincial Franchise Committee?—Yes.

7. You know their proposals about the depressed classes?—Yes.

8. You agree with those proposals?—Not in general. I would like to answer questions, if the points are put to me in detail.

9. Their proposal is that about 300,000 of the depressed classes should be enfranchised, that they should be given separate electorates and also that they should be given votes in the general constituencies.—I agree with those proposals. So far as the depressed classes are concerned, I would also like to add one more point. According to the present system, it is only the Hindu depressed classes that are counted as depressed classes. But there are quite a large number of Christian depressed classes who belong to the same community, namely Pariahs, etc.; these are not taken as depressed classes at all under the present system. I should think, so far as I have understood from their ideas also, that they are pressing for their being taken along with the other depressed classes.

10. *Sir Zulfiqar Ali Khan:* Khan Bahadur, will you please let me know whether you want enfranchisement of women?—I do.

11. And would you tell me if Muhammadan women in this part of the country possess property in their own name?—Not many. A few do.

12. Would you not consider that as a qualification?—That is not by itself sufficient. It would not give full representation to the women.

4th March, 1932.] Khan Bahadur P. KHALIF-UL-LAH SAHIB. [*Continued.*

13. How many seats would you like to give to the Muhammadan women? —On the whole, I would like that at least 5 to 7 per cent. may be given to women.

14. Do you think that they should have elections in the urban areas alone or also in the rural areas?—To begin with, women may be given representation in urban areas.

15. And would the purdah system interfere with their going to the polling station?—So far as my experience goes, I see that they are taking more interest in coming and voting at the elections. That is what I have seen myself.

16. What is the condition of literacy among them?—Very poor.

17. Do they know anything about the political conditions of the country?—Not much.

18. Do you think that in spite of their ignorance of politics and in spite of the purdah system, they could represent women in the Council?—There are a few everywhere in all the districts, so far as I know, who can represent them in the Council.

19. You want to give them 5 or 7 per cent. Do you think there will be sufficient Muhammadan women available for the Council?—There will be.

20. *Sir Sunder Singh Majithia:* Have I understood you to say that there are depressed classes among Christians and that they are not counted among the Hindus?—Yes. They are not counted among the Hindus.

21. That does not make any difference so far as the depressed people go, for they are counted as depressed classes, and would you like to separate them from the Christian and Musalman depressed classes?—What I would suggest is that they should also be given representation. The idea is that they should be given special representation. So also I would recommend that so far as the depressed classes are concerned, they also do deserve and do need special representation.

22. Would that representation be besides the representation that they get as Christians?—Whatever provision is made for the Hindu depressed classes ought also to be made for the Christian depressed classes.

23. In other words, am I to understand that the provision made for the Hindu depressed classes should also be extended to the Christian and Muslim depressed classes?—Yes. Quite so.

24. Have I understood you aright when you say that 5 per cent. should go to Muhammadan women?—To women I say.

25. Would you make any differentiation in this representation of women, that so much should go to the Hindus, so much for the Muhammadans, so much for others?—Whatever applies in the case of the other constituencies, will apply also in the case of women.

26. Would you not like to make any special recommendation in the case of Muhammadan women?—I would also like some special provision to be made for Muhammadan women when provision is made for others.

27. Would that be separate from the quota of women?—It will be only within the quota of women.

28. *The Hon'ble Mary Pickford:* Do you not think that the possession of the vote would make women, even those in purdah, take a greater interest in politics, and urge them to make efforts to inform themselves of politics?—In do think so.

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29. *Sir Muhammad Yakub:* Khan Bahadur Sahib, a suggestion was made here by a certain gentleman that if certain Mussalmans want to withdraw themselves from separate electorates, they may be allowed to join the general electorates. Do you approve of this suggestion?—If the

suggestion should be adopted, I am sure it will give rise to a lot of disruption among the community itself and it will certainly not be in the interest of the community to give effect to the suggestion.

30. You have said that you are against the group system. If the group system is somehow or other introduced even in a supplementary form, would you like the Mussalmans to be grouped with Non-Mussalmans or would you like to have separate groups for Mussalmans?—I am strongly against the group system. In case the group system is to be adopted, then I think that the system should be worked separately for the Mussalman community and for the Hindus.

31. We are not going to decide the question of the number of members, but still we might have your opinion whether the composition of the Council as given by the Provincial Committee here and which is approved by the Local Government is satisfactory, and whether the Muhammadans will be satisfied with it or not?—So far as I understand Muslim public opinion here, I think they insist upon 15 per cent. of the total strength of the Council to be separately reserved for Muslims.

32. Are you satisfied with the composition given by the Provincial Committee?—I think it falls below that 15 per cent. I mean the present recommendation of the Local Government.

33. Are the Muhammadans in favour of it or not?—They do want a little more than that.

34. *Dr. Ambedkar:* I understand you to say that special representation ought to be given to the depressed classes. But what I would like to know is this. Supposing your view was acceptable, and the seats reserved for the Christians are reduced in order to make provision for the representation of the depressed class Christians, would you be in favour of that; or would you reduce the seats assigned to the depressed class Hindus?—I have already stated that whatever applies to the Hindu depressed classes might apply to the Christian depressed classes also.

35. In other words, you would not include the depressed class Christians in the total Christian population of the Presidency?—I would like to adopt the system recommended for the Hindu depressed classes, namely, give them separate electorates and also allow them to vote in the Christian constituency.

36. Your view is that the Christian population of this Presidency should be exclusive of the depressed Christian population?—I said that they should be given special representation in the special electorate. At the same time I like the idea of their being allowed to vote in the Christian constituency also.

37. That is not my position. The question is this. To-day some 15 seats are allotted to the Christians in this Presidency, and 25 are allotted to the depressed classes. Now in order to give effect to your proposal of giving separate electorates for depressed class Christians, you would take a certain number out of the 15 seats assigned to the Christians, or would you take a certain number out of the 25 assigned to the depressed classes?—My own idea is that the present assignment of 25 seats to the depressed classes is on the assumption that there are only Hindu depressed classes. The whole thing should be revised; in case they have decided to give 25 seats, they ought to increase it with a view to adding the Christian depressed class representatives also.

38. *Mr. Tambe:* You want to add some more to the seats that are proposed to be reserved for the depressed classes, to provide for Christian depressed classes?—Yes. The Christian community may have to lose a single member.

39. You have said you represent no association?—I do not represent any association.

4th March, 1932.] Khan Bahadur P. KHALIF-UL-LAH SAHIB. [*Concluded.*

40. There was a meeting of the Muslim members of the Legislative Council?—Yes.

41. They adopted a certain memorandum?—They did.

42. That is not in accordance with what you have stated?—Mostly it will be in consonance with that.

43. You were present at that meeting?—Yes.

44. But you were not deputed by the meeting?—No.

45. *Khan Bahadur Aziz-ul-Huque:* What districts do you represent in the Madras Council?—I represent Trichinopoly and Madura.

46. Will the tax paying qualification proposed for a voter bring in proportionately the same number of Muslims on the voting register?—Roughly, yes. Or it may be a little less.

47. Due to economic circumstances?—Yes.

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48. *Diwan Bahadur Ramaswami Mudaliyar:* Do you think the Hindu community will not be agreeable to the Christian depressed classes being mixed with them?—I do not think they will be agreeable.

49. Therefore it is impossible, you think, to combine the Hindu depressed classes and the Christian depressed classes into one single separate electorate? —I should think it is well nigh impossible.

50. So that if the Christian depressed classes should get special representation at all, it must be either by a special electorate within the special electorate of Indian Christians or it must be by reservation in the special electorate of Indian Christians?—I say those are two separate classes.

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Memorandum by Mr. M. S. KOTISWARAN, President (1) Madras Port Trust Workers' Union, (2) Western India Match Factory Workers' Union, (3) Telephone Workers' Union, submitted on behalf of Labour.

I.—THE PROVINCIAL LEGISLATURE.

1. (*a*) At the outset I must protest against the abandonment of the principle of adult suffrage in inaugurating the new constitution. Even the modest recommendation of the Franchise Sub-Committee of the Round Table Conference, that the immediate increase of the electorate should not be less than 10 per cent., nor more than 25 per cent. of the total population, seems to have been rejected. At the present moment, the extension of the franchise to 10 per cent. of the total population seems to be regarded as the maximum. At this rate, I do not know what the final recommendation will be.

(*b*) Yes. Illiteracy does not necessarily mean ignorance. Our workers are shrewd and practical, and have shown marked capacity in dealing with the affairs of their respective Unions.

(*c*) I foresee no difficulty in regard to arrangements for the preparation, maintenance and revision of the electoral rolls, and for recording and counting votes, if the services of the suitable non-officials are enlisted.

(*d*) I would urge the introduction of adult suffrage, at least in Municipal areas as a beginning; failing this I would suggest the following:—

Earning of a minimum of Rs. 10 per month in the case of men workers and Rs. 5 a month for women workers.

In the case of cities, every tenant whether occupant of a whole house or part of a house paying not less than Rs. 15 per year and in case of Municipal areas, Rs. 12.

(*f*) I am not in favour of group system, as it will create a distinction between the workers and the higher classes, and place the former at a great disadvantage.

(*h*) I am opposed to indirect elections on principle.

2. (*b*) I am not in favour of this suggestion, as it will lead to different qualification in the case of different communities. The interests of the different communities will be adequately safeguarded in the electoral system which I have suggested.

(*c*) In the widest sense of the term, as specified in the *Questionnaire*, a property qualification may be accepted provided it is low enough to bring in a large number of the workers as suggested above.

(*d*) I am in favour of educational qualification independently of property. I would suggest Higher Grade Elementary education or middle school course.

(*e*) No. I am not willing to regard the military class as entitled to any special privileges.

3. (*a*) It is desirable to give votes to wives or widows of male electors qualified on the basis of property.

(*b*) No.

(*c*) I am against the system of co-option. Reservation of seats in certain urban areas to the extent of 5 per cent. through a system of joint electorates would be a better method.

4. I favour a system of joint electorates for the Depressed Classes with reservation of seats on the population basis.

5. In the absence of adult suffrage, labour must have special representation through registered Trade Unions, taking labour as a whole, industrial, agricultural as well as plantation, the number of seats so reserved should be at least 10 per cent. of the total number. I am entirely in agreement with Whitley Commission's recommendations. In order to ensure a proper representation of different kinds of labour, I would ear-mark certain seats for Railway Unions, others for textile, others again for Port Trust, Harbour and Dockyards, Transport workers other than railways, etc. Agricultural labour will for all practical purposes have to depend on the representations of the Depressed Classes who form the bulk of such labour. For plantation labour, I would have at least 2 representatives, preferably by direct election, if such a system can be introduced.

(*a*) With regard to special interests other than labour and women, I see no need for any special representation. Practically all the interests mentioned are wealthy and influential, and will have no difficulty in securing adequate representation through general constituencies.

NOTE.—I am not in favour of the establishment of a Second Chamber for Madras. It will be superfluous, costly and act as a drag on the Lower Chamber.

II.—FEDERAL LEGISLATURE.

6. (*a*) I agree with the proposal with the proviso that at least 2 out of the 17 seats from Madras should be reserved for labour.

(*b*) No.

(*c*) I favour direct elections, and I am opposed to indirect elections. The size of the constituencies should be reduced by increasing the number of members in the Federal Assembly, say to 450 or 500, instead of 300 as suggested. As I am not in favour of communal electorates, I do not feel called upon to answer this difficulty.

7. All reservations of seats should be abolished at the end of 3 general elections or 15 years, whichever may be the shorter period. It is undesirable to perpetuate this feature in the constitution. Special interests, representing the capitalist classes, enjoy an unfair advantage over others in seeking entry into legislatures through special constituencies, as well as general ones.

If, in spite of our protests, they are granted special representations, their names should be removed from the Electoral Rolls of general constituencies. There is no need for giving representation to Europeans first as a community and then again as an interest. Practically all the European residents in India in the coming year will be associated with commerce and industry. Then under the new constitution, in my opinion there will not be such distinctions between European trade and commerce and Indian trade and commerce, as to necessitate separate special representation for these two intrests.

Mr. M. S. KOTISWARAN.

1. *The Chairman:* Are you the President of the Madras Port Trust Workers' Union, and of the Western India Match Factory Workers' Union and the Telephone Workers' Union?—Yes.

2. Will you tell us the membership of these Unions?—In the case of the Madras Port Trust Workers' Union, the percentage of organisation is 75.

3. 75 per cent. of the workers are in the union?—Yes.

4. What is the number in the union?—It is now 1,200.

5. And of the Western India Match Factory Workers' Union?—There are 600 workers on the rolls. The percentage of organisation in that union also is 75.

6. And the Telephone workers?—That has not so much strength. It is merely 40 per cent.

7. 40 per cent. of the workers?—Yes.

8. What is their number?—It is only 42.

9. How long have these Unions been in existence?—Two years; from the time when the Whitley Commission came.

10. Are they all registered under the Trades Union Act?—Two are registered; one is recognised by the employers, and one is not registered. The Match Factory Union has been recognised by the employers. In the case of the Port Trust Workers' Union the matter is under consideration. The employers have agreed to recognise the Union under certain conditions. The workers have agreed to abide by the conditions and I hope to get it recognised soon; in the meantime the President of the Union has been discussing matters with the employers in all things concerning the welfare of the employees.

11. The services which the Union renders to workers are with regard to their hours and conditions of work generally?—Yes.

12. Have they got any other benefits like health insurance, etc.?—Except the benefits they could get from the employers in the shape of further amenities the union has not been able to give them extra benefits.

13. You say "In the absence of adult suffrage (on the assumption that capital has some representation in the Legislature) labour must have special representation through registered Trade Unions". Have you seen the proposals of the Provincial Committee for constituting a special electorate for factory workers who are in receipt of Rs. 15 and over?—I have seen their proposals but do not agree, for I feel that the recommendations of the Whitley Commission that labour may be represented in the legislatures having trade unions as their centre, to be very reasonable and desirable. If the workers are made to understand that they are having a right of vote and that the Trade Unions will be the brightest spots through which their representation should go to the legislatures, there will be a greater incentive for workers to organise themselves and there will be a healthy growth of the movement in the country.

14. You have ear-marked certain seats for certain Unions?—That is because there seems to have been some fear that if Trade Unions are made the centres for electing the representatives of labour, certain labour institutions

which are well organised may have certain advantages over other labour not so well organised and in order to protect every kind of labour, I have suggested that representatives may be elected and seats allotted to every branch of labour in this province.

15. Would you agree that this should operate with greater force in those Unions which have reached a certain stage of organisation?—Yes, the Whitley Commission stated that they should have one year's organisation.

16. You recognise that if such a proposal was carried into effect the trade unions would have to agree to a certain degree of organisation before they could be given a seat?—As it is, though labour is not so well organised, it is not so bad. Some are well organised; if others are not so, it is not due to lack of the workers' co-operation. It is due to the management and also the lack of interest shown by the Government. Wherever the Trade Unions have appealed to the Government to intervene the Government have not been so ready to help the Trade Unions.

17. Have you worked out at all the methods by which these group Trade Unions would elect their representatives?—As I am opposed to the group system.....

18. Not the group system: you have ear-marked several unions, such as Railway unions, textiles, and so on. How would each group of Union elect a representative to the Council?—The Port Trust dockyard and the Harbour Workers may be one; the Railway Unions would be one group and so on.

19. Who would do the voting?—Members of the Union individually. Others who are not members of the Union may have powers of voting in other capacities by ownership of property. So far as labour is concerned only members of the Union will have a vote.

20. There is reference to adult suffrage among the plantation labourers in the Whitley Commission report?—Regarding plantation labour we have not found it possible to make any recommendations because Trade Unionists are not allowed to go to those places. In the absence of any organisation regarding plantation labour some other method may be introduced.

21. What amount of labour is there in the plantations in Madras?—There are two distinct places where plantation is going on. The wages and the condition of plantation labour are very unsatisfactory and we are not in a position to know what their difficulties are and how we can help them because we are not even allowed to go there.

22. *Mr. Bakhale:* Are you in touch with the trade union movement in the Madras City?—Yes, I am acquainted with almost all unions in this city.

23. In addition to the information you gave the Chairman will you be good enough to give some further information. Is it a fact that in the Madras Labour Union, for example, three-fourths of the workers in the Choolai mills are members?—Yes.

24. Is it also a fact that at Ranipet where you have got a Union, 80 per cent. are members of the Union?—Yes.

25. Is it a fact also that in addition to the Port Trust Union and the Match Factories Union, the Ranipet Union is recognised by the employers?—Yes.

26. Wherever recognition is given readily by employers, membership of Trades Unions goes up much more than where recognition is not granted?—Yes, that is my experience. For instance, the Spencer Ice Salesmen Union of which I am Vice-President, after recognition of the Union which was granted by the employers, has become a cent per cent organisation. Wherever the employer is ready and willing to recognise a Union, the membership has always risen.

27. Can you tell me whether it is a fact that the large membership on the Madras and Southern Mahratta Railway of 26,000 is due largely to that Union being recognised by the Railway?—It is.

28. On the other hand the South Indian Railway Union is lacking because it is not recognised?—That has been the difficulty with the South Indian Railway men.

29. Do you know that at Madura where the textile labour is numerous a condition has been laid down by the employers that the Union should be dissolved?—It is a fact. As a matter of fact, I also attended the lock-out and tried to help the workers.

30. After a six weeks' lock-out they had to withdraw that condition?—Yes.

31. Take, for instance, the Port Trust Union. What is the number of the managing committee of the union?—Twenty-five.

32. How many are not actually workers working in the Port Trust?—There are only three who can be called outsiders.

33. Do you hold regular meetings of your executive?—Yes.

34. And is it a fact that workers who are members of the executive generally express themselves intelligently and give their opinions in quite an intelligent manner?—Yes.

35. So, then, is it your opinion, having regard to all the information you have given me, that the Trade Union is not properly organised?—It is not a fact. It is well organised. Some of the branches of labour are not on an organised basis but so far as the Unions I have been working for are concerned they are worked on most efficient lines.

36. It has been made out that out of about 38,000 members registered under the Trade Unions Act about 26,000 belong to one Railway Union and only about 12,000 to other Unions. Is that due largely to the railway labour being more than other labour and to some other unions in other industries not being registered?—Yes, there are ever so many other Unions not yet registered because registration of a Union does not help the Unions in any way. It is recognition that goes a great way.

37. Even supposing the percentage of the organisation in non-railway trades and industries goes up considerably, still the ratio of the railway workers and non-railway workers' organisations are bound to be more or less the same as now?—Not the same but the difference would not be so great as at present.

38. So is it your opinion that even with 12,000 organised non-railway workers, Trade Unions could be made the electorates?—Yes, that is my opinion.

39. In your memorandum you say:—VI (*a*) "I agree with the proposal with the proviso that at least 2 out of the 17 seats from Madras should be reserved for labour". Do you refer here to the Lower Chamber or the Upper?—The Upper Chamber.

40. What about the Lower Chamber?—I find that 32 are allotted to the Madras Presidency. If that should be the maximum number that Madras is going to have in the Lower Chamber I suggest that at least 4 should be from labour.

41. Did your Union get a questionnaire either from the Madras Government or the local Franchise Committee?—We got it only yesterday.

42. Do you know if the other Unions in the City were supplied with questionnaires?—So far as my information goes they were not.

43. *Diwan Bahadur Ramaswami Mudaliyar:* As regards the plantation labour, you are aware that this is shifting labour?—Yes.

44. Recruited from the season to season and not continuous?—Not always; sometimes they remain for 5 or 6 years. There is a large percentage shifting.

45. You have suggested that there should be separate electorates for the various groups of industries such as textiles and again for miscellaneous industries. It has been suggested that having large numbers from these

organisations would swamp other organisations of a smaller character. That could be overcome by having a separate group system?—Yes.

46. Supposing the group system is adopted, how would it be carried out?—Through Trade Unions. Every registered Union maintains a membership roll and they have got the names of the workers.

47. Would you consider this suggestion, that a Trade Union may have a number of votes which would be exercised by its chosen delegate instead of each Trade Union giving a single vote? The trade unions vote will represent the strength of the membership in that Union?—I am not in favour of such a system. I would like every voter to have a direct vote.

48. Why not? If a delegate is elected his vote will be counted as, say, 3,500 if that is the strength of the Union?—I have no objection to that.

49. It has been objected to in this country that workers do not group themselves together according to their profession, such as the Textile workers; they do not form one Union but are all mixed with workers in other mills?—that is entirely due to the employer who refuses recognition. For instance, in the Madras Labour Union the textile workers employed in the Choolai Mill are also members. The Buckingham and Carnatic Mill authorities have been objecting to this. In the same way, in the case of the Port Trust workers, I registered the union as the Madras Port Trust and Harbour Workers Union, but the Port Trust Board objected to the presence of workers other than those employed directly by the Port Trust Board and so I have changed the name to 'The Madras Port Trust Workers' Union'. I have to register a separate union for the harbour workers. Hence, unless and until the employers change their attitude the grouping of workers of similar nature is not possible.

50. *Major Milner:* Objection has been raised to Trade Unions on the ground that it is alleged that they have not assisted or taken any part in some co-operative credit scheme which I understand is in operation. Were you invited to take part?—The Unions have not yet found it possible to organise a constructive programme to give any extra benefit to the workers. Their time has been entirely devoted to getting recognition and getting their grievances redressed.

51. I was not referring to any scheme which the Union might promote. The Government have a co-operative scheme and the objection has been made that the Unions have not assisted the Government?—So far as my knowledge goes we have never been asked to assist the Government.

52. Should I be right in assuming that your Union and the other Unions would be quite willing to co-operate in that good work?—Yes.

53. There are about 7 Unions, we were told yesterday, which have been started by employers. Can you tell us in what way these Unions differ from the normal constitution of a Union?—There is the Madras Labour Union which has been working since 1920 and ever since that day the Union has been working in the interests of the textile labourers and they have also been trying to get recognition of the Union from the employers; but the attitude of the employers has always been antagonistic to the Union and they have been trying their best to crush the Union and they thought, perhaps, the best way to weaken the Madras Labour Union was to start a rival Union and so they formed a Union of the Buckingham and Carnatic Mills.

54. That is a union formed antagonistically to the ordinary Workers' Union and is largely influenced by the employers?—Yes.

55. *Mr. Tambe:* Tell us the average wages earned by a labourer in the Madras Presidency?—In case of the Port Trust it is 13 annas a day; in some places it is only 11 annas; in the case of Match factory workers the odd coolies get only 8 annas. The wages of the worker in the city vary from those in the mofussil.

56. Supposing in a village there were a large number of labourers, at what figure would you make them eligible for electors in the municipal rolls?—I have stated the figure to be Rs. 10 for men and Rs. 5 for women.

57. What is the average total number of women workers in a proportion to men workers?—Women workers are generally employed in the textile industry. The women workers are very numerous on the plantations.

58. *Khan Bahadur Aziz-ul-Huque:* I want to know, is it likely that the trade unions will gain in strength unless a certain number of outsiders are brought in and is there any reluctance on the part of the employers or on the part of the registering authorities to accept the lead of the outsiders in organizing the trade unions?—There has always been this reluctance. If the employers have recognised a union it is because they could not but do so; and every time the employers have agreed to recognise a union they have always imposed the condition that not more than 2 on the executive should be the outsiders and the rest should be the actual workers.

59. Supposing these outsiders were not there, do you think that the trade unions would have come to their present stage?—They would not have come.

60. *Mr. Miller:* Are you employed as a worker in any of these unions?—I am an outsider. I am not an actual worker.

61. Have you any other occupation other than organizing trade unions?—I have.

62. What other occupation?—I am a school master.

63. All those unions are registered?—Yes.

64. You said that trade unionists were not allowed to visit the plantations?—Yes.

65. Have you been refused permission?—Personally I have not been refused because I have not attempted. My friends tried and they were denied permission.

66. Can you give an actual instance where they were refused?—Many a time our people when they went to see the condition of the workers there have been denied the privilege of going there and mixing with the workers.

67. Can you quote any specific case?—I could not give any specific case. Generally they are not permitted.

68. Did the Whitley Commission make any recommendation in regard to plantation labour?—They have said that in the case of plantation labour a special device should be made to protect the interests of plantation labour. When speaking about the representation of labour in the legislatures they have made a special provision regarding the plantation labour. In the case of Assam they have stated that some measure must be invented to see that the labour on the estates in Assam was well represented in the legislatures.

69. Are you in favour of those recommendations?—Yes.

70. With regard to the last paragraph of your note, I should like to know whether you are in favour of Europeans being given representation in the legislature?—I have stated there that I am opposed to the idea of giving a distinct advantage to the European community by giving them representation in the legislature first as a community and then as an interest. I have no objection to give them representation but they must have either as a European community or as trade and commerce. The present system of having separate representation for the European community on the one side and having representation for the European trade and commerce on the other, places the community distinctly in an advantageous position. I don't see why they should have two advantages one as a community and the other as an interest.

71. At the end of three general elections or 15 years how do you suggest they should be elected. You say after three general elections or 15 years

all reservation of seats should be abolished?—When we get adult franchise there is no need for such a provision and special representation.

72. Would you suggest separate electorates for Europeans?—Up to this time, as far as I know, the European Missionaries of Madras have not asked for separate electorates. And after having settled in India for 15 years they should identify themselves with the country. There would be plenty of scope for the Europeans to go to the councils through a general constituency.

73. Do you think they will be elected through the general electorate?—They will be.

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74. In order to extend the franchise, you have expressed yourself as being in favour of an educational qualification independent of the property qualification. You have suggested the Higher Grade Elementary education or Middle School course. The two are the same?—Yes. In the case of the municipal areas they are called middle schools and in the case of the mufassal they are called Higher Grade Elementary.

75. Why don't you go lower than this?—Higher Grade is more or less corresponding to the Upper Primary. The Middle School Course means 3rd Form.

76. Will you have any objection if we say elementary education?—I have no objection, but will only be too willing to have it.

77. You have expressed your opinion on the representation of special interests representing the capitalist classes. If the capitalist classes were not given special representation but were left to the general electorate, would you agree to the same thing being done in regard to labour. Will you give up your demand for special representation?—No.

78. Why?—The chances of capital getting into the legislatures are greater than the chances of labour. On account of the practical difficulties to secure proper labour representation on the legislature, I do not agree.

79. But you will give up your claim when the franchise is so extended as to enfranchise the greater majority of the labour population?—If the franchise is so extended as to approximate to adult franchise, I have no objection.

80. *Lord Dufferin:* How many unions have you organized yourself?—I have organized more than 7 unions.

81. It is not surprising therefore that you say 'yes' to the question whether trade unions are well organized in the Presidency because you have organised some yourself?—I have not come here to speak for all. I am having direct official connection only with three unions, but the other unions are in charge of my friends.

82. They are run by your friends. You therefore will probably have a considerable voice in the selection of candidates for the legislature if they were elected by the unions?—I am not able to follow you. I do not exactly catch your point.

83. If the trade unions elected the members you would probably have a considerable voice in their selection?—Not necessarily.

84. You said in answer to one question that you would like every worker to vote directly?—Yes.

85. There are 100,000 industrial workers who are not members either of your union or any other trade union. How are you going to give them a vote directly?—They must organize themselves into trade unions. When once a worker understands that he will be having the franchise, you will not be surprised to see many other unions coming into existence. The mere fact that the Whitley Commission was coming acted as a sufficient incentive to many workers to organize themselves. If the workers were to know that they would have the privilege of exercising their franchise surely they would organize themselves. Domestic servants' unions may also come into

existence. If they know that every branch of labour will be in a position to exercise their vote, they will organize themselves.

86. Do you agree that this Committee's object is not necessarily to encourage the trade unions but to secure efficient, competent and representative people to be sent to the legislature?—I want competent and true representatives of labour.

87. Don't you agree that you will have a more representative man if he is elected by all the workers than if he is elected by, say, 5,000 workers?—A man elected by all the workers will be more representative.

88. Then why do you not wait till they organise themselves into unions?—I have said that only in the absence of adult franchise. If the Committee is going to provide for every worker to vote, we are for it. Otherwise I suggest that a monthly earning of Rs. 5 in the case of women workers and Rs. 10 in the case of men should be the standard.

89. If we give adult franchise you don't lay stress on any trade union actually selecting respresentatives?—If all the workers get the privilege of voting we do not care whether they vote through the trade unions or directly. In the absence of that we have suggested that the trade unions should be taken into consideration.

90. You organised these trade unions in your spare time?—Yes. I did not do it single handed but I did it with the help of so many friends.

91. Would you be surprised to hear that some workers came before us yesterday and expressed the desire to be represented by their own people—by the people who toil themselves?—I have already given my view regarding those workers. They belong to a union organised by the employer as a rival union to the Madras Labour Union. In view of the fact that they have been influenced by the employer himself what they have said may not be taken very seriously.

92. All of them said that their union was not controlled by the employer. Would you agree with me when I say that what they said was not under the influence and the fear of the employer or because their union was controlled by the employer?—I do not agree.

93. That is however a matter of fact?—Yes.

94. You want 1/10th of the seats in the legislature?—Yes.

95. You are probably aware that adult labour is only 125,000. Are you even then prepared to demand this weightage?—I have said 10 per cent. for labour because we want at least 10 per cent. labour members on the legislature.

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96. *Sir Ernest Bennett:* I don't want you to leave this room with the impression that the members of this Committee—I speak for myself and I think I am expressing the feeling of other members—are in any way against the trade union movement?—I may assure you that I will not go with that impression.

97. There are one or two minor points which I want to clear up. I think you said that the membership of your unions comes to 1,207 and all of them are registered and recognised. Could those figures be officially checked, Mr. Rutherford?

Diwan Bahadur Ramaswami Mudaliyar: They are the official figures.

98. *Sir Ernest Bennett:* You have a definite subscription for the members of your unions?—Yes.

99. They pay monthly?—Two annas a month is the subscription.

100. You insist on the payment of the subscription?—That is the only way of convincing the employer about the percentage of the employees in our association. If we say that we have a membership of so many workers, they do not believe. They want to see the annual returns and then judge the

number of the members of the union according to the annual return that we submit every year.

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101. The whole thing is properly done and recorded?—Yes.

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102. *Sir Sundar Singh Majithia:* May I ask you if you hold any office in these unions?—I have already told you that I am the President of these unions.

103. You say you do not like the group system because it creates a distinction between the workers and the higher classes. What sort of distinction does it create?—As I am opposed to the group system I don't think I can explain it further. The group system is thought desirable only in the case of the workers, the other people will be having a separate sort of election. That is a distinction between the workers and the other people.

104. You don't like this distinction?—I do not want such distinctions to be brought into force.

105. You further say, "I am not willing to regard the military class as entitled to any special privileges"?—I don't see why any person should have a special privilege. They should come under the same conditions—property qualification.

106. We are trying to see that a larger percentage of the population gets the franchise?—After all whether they are military people or not, they will be earning something or paying some rent. I don't see why any particular class should have a special privilege.

107. Is there any serious harm if those people are enfranchised?—There is no serious harm. I thought that it might create some trouble and therefore I considered that the special privilege need not exist.

108. In V (*a*) you say "practically all the interests mentioned are wealthy and influential, and will have no difficulty in securing adequate representation through general constituencies". Would you kindly explain what you mean by this?—With regard to special interests other than labour and women I see no need for any special representation.

109. Do you refer to the landholders?—Landholders also.

110. Is this with special reference to the landholders?—To all special arrangements. Except for labour and women, I don't see any necessity for having special representation for any interest.

111. Your answer V (*a*) refers to whom?—I refer also to the landlords.

112. Do you mean to say that they buy votes?—Where is the need for special representation for them. After all who are the people that are coming in at the elections? Either a university man or a landlord or a merchant is elected. Then where is the need for special representation for the University people, for the landlords and for other special interests? I am of opinion that there is no need for special treatment.

113. They would come in the ordinary way?—They are coming. After all who are the people coming in the Madras Legislative Council. They are the people who are coming.

114. And for that reason you would like that their names be removed from the general electoral roll?—They will be on the general roll. They will not be on the special electoral roll.

115. If they are on the special, you will remove them from the general?—Yes.

116. *Mr. Venkatnarayana:* You want outsiders who are not actual workers to represent labour?—The trade unionists must be allowed to stand.

117. In preference to those who are actual workers?—Not in preference. That is left entirely to the workers.

118. You say you would earmark certain seats for the railway unions and other unions. In practice, it is the outsiders who would come. Are the labourers shrewd enough?—They are shrewd practically. They have the intelligence required to exercise the franchise and they are also shrewd in dealing with the matters affecting the union. How far they would be able to take up the duty of representing their men in the legislature is a point. The aim of trade unionists has always been to see that the actual workers are taken.

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119. *Mr. Basudev:* By enfranchising the sub-tenants don't you think that you will be enfranchising a good number of the workers?—That is why I have said that in the case of property ownership I am willing to accept every tenant whether he is occupying the whole house or a part of the house. That would increase the number of voters.

120. That will practically enfranchise all the workers—if you fix Rs. 12 rent as the qualification?—Practically. In cities it will. In municipalities it may have to be still lower to enfranchise all.

121. *Mr. James:* You said in answer to a question about plantation labour that some of your friends had been prevented from visiting plantations. Is that so?—Yes, not from visiting the plantations out of curiosity but to visit the plantations with a view to organise plantation labour.

122. They had been prevented by whom?—By the authorities there.

123. Which authorities?—The employers.

124. The Planters?—Yes.

125. Can you give me any specific instance?—I am not in a position now to give any specific instance, for I do not distinctly remember the names and dates, etc. But the general impression with a certain amount of fact is that they are not entitled to get admission to these places.

126. That is the general impression?—Based on certain personal cases.

127. Of yourself?—No.

128. Of friends whose names you cannot remember?—Mr. Shiva Rao tried to go once to Anamalis to see the plantation labour and try to organise them. He was not in a position to do so.

129. *Mr. James:* Mr. Chairman, if I may explain to the Committee the actual facts of the case I shall be thankful. Very serious allegations have been made and I think the Committee ought to be in possession of the actual facts. The facts are these: The planters have not on any occasion or at any time refused admission to any person who wished to make enquiries regarding plantation labour. The Government refused permission to one lawyer in Coimbatore to visit the planting area for the purpose of holding meetings during a time of political excitement purely for political reasons. When the Whitley Commission came they visited the planting areas at the express invitation of the Planters' Association. Mr. Shiva Rao was nominated, I understand, as an assessor for that purpose and I was nominated as an assessor to represent the employers. The Government, for reasons of their own, and unconnected with any representation made by the planters, did not allow Mr. Shiva Rao to visit the planting area visited by the Commission. That being the case, I also withdrew as representing the employers as I did not want the labour representative to feel that was purely taken on their own initiative, quite apart from any representation that I had any unfair advantage. I may say that that action of the Government was taken purely on their own initiative, quite apart from any representation that the employers made. And

that was in a sense very much against our wishes. I want to make that point clear.

I will put one question to the witness.

130. May I ask you whether Mr. Shiva Rao has since received a very warm invitation from the Planters' Association to visit the planting areas?—I am not aware of it. I am glad to hear it now.

131. Although the invitation has been repeated twice during the last two years, he has not accepted it?—It is not because he was unwilling to go that he has not accepted it so far, but that he was engaged in the work of the Round Table Conference and that is why he has not accepted it.

132. I want to put one question regarding the Buckingham and Carnatic Mills. You are doubtless aware that the Buckingham and Carnatic mills employees' union was the first to register as a registered union?—Yes.

133. You are aware also that the office bearers of this union are workers in mills?—Yes.

134. And that they are not in any sense controlled by the employers?—There I do not agree.

135. They are elected by their own workpeople?—Of course they are elected as office bearers by their own workpeople, but it is done under the direct supervision of the employers. After all, a union organised by the employers cannot be expected to be quite independent and in a position to enjoy enough freedom to elect men of their choice as office bearers.

136. Each member of the union has a vote?—Yes.

137. And he is entitled to vote for the person he likes?—Yes.

138. All the office bearers are elected by the members of the union?—Yes.

139. They are all workers in the mills?—Yes.

140. Are you also aware that the Madras Labour Union which is the oldest union in the presidency and which has done such splendid work still has as its president an outsider and as its secretary a non-labourer?—Yes, I am aware of that.

141. *The Zamindar of Mirzapuram :* You want special representation, but you do not want to give landholders' similar representation. May I know your reasons for that?—After all, the landholders are the people who are going to contest the general constituencies. The desirability of not giving special representation to landholders is this : there will be a greater chance of the landholder mixing freely with the average man if he stands for the general constituency. The distinction based on property would then disappear and there will then be a sort of harmony existing among the different classes in the country.

142. Do you not think that it is necessary to safeguard the special interests of the landholders?—Personally I do not think there is any difficulty for the landholders to get into the legislature without special representation.

143. Do you think that a landholder elected by the general constituency can represent the landholders' interests?—I do not know what would prevent him from doing so.

144. Can he ignore his constituency and represent the landholders?—He need not necessarily ignore his constituency. After all every time that a member is returned to the legislative council he takes part in all the deliberations. There will not be any difficulty in a landholder representing the landed interests even if he is returned by a general constituency.

145. Supposing to-morrow the Estates Land Act is introduced in the Council, do you expect the landlord who has been returned by the general constituency to support the landholder and neglect the ryots who have elected him?—If separate representation for landholders is abolished, the landholder will identify himself with the common people.

146. My question is different. Will you answer it?—Do you think that if a landholder is returned from a special constituency he would succeed without the help of the other members of the council in getting anything done for the landholders?

147. Can a landholder who has been returned by the general constituency represent the interests of the landholder and at the same time ignore the interests of the tenants by whom he has been returned to the Council?—He will have to choose between the two.

148. In that case may I take it that a landholder who has been returned by a general constituency is bound to support the interests of his constituency?—My whole argument is that they should have special representation only if they did not have any chance of getting in through the general constituencies.

Memorandum submitted by Mr. DANIEL THOMAS, M.L.C.

I. I may say at the outset that I have participated almost throughout in the discussions of the Madras Franchise Committee and I am in substantial agreement with the conclusions and in report of that Committee. But I should like to refer to one or two things specifically :—

(*a*) *Group System.*—I am definitely against any group system for the following reasons :—

(1) Because the past experience or traditions of this province are against the system of indirect election. Both as regards the Legislative Council and as regards the District Boards, we have moved away from indirect to direct election.

(2) Because the election of a secondary voter by a group of primaries who in turn will elect a member to the Legislative Council does not confer, and will not be appreciated by the primary voters, as conferring upon them, any real or substantial voice in political life. It is too remote and too indirect for such a purpose.

(3) If the present system of direct election is to be done away with and a system of indirect election by groups is to be substituted, the number of secondary voters will be comparatively small and there will be greater scope for corrupt practices.

(4) In view of the existing divisions of communities and castes among the people and in view, also, of the condition of women's life in this country, it would be extraordinarily difficult to form the primary groups satisfactorily and equitably.

(5) The administrative difficulties in the conduct of elections by the primary groups and the facilities for abuse which this method of election affords, are very great, if not insuperable.

It has been pointed out that under the proposals of the Madras Committee, a large percentage of the adult population will be unenfranchised. At the average each adult male voter may be taken to represent a family of 4 adult men and women (brothers or sons and their wives) and it may be taken that each vote would represent the interests of this family group. Again, there is a large and increasing *espirit-de-corps* among the various communities and there is reason to believe that if a substantial number of people are enfranchised in each of these castes and communities in the villages, as they would be under the Madras proposals, the interests of the people as a whole will be safeguarded.

(6) I believe the only feasible alternative to the Madras proposals will be adult suffrage but this would be too large and hazardous a step—something of a leap in the dark—and the administrative difficulties would be enormous. We prefer that the franchise should be broadened down from stage to stage, the ultimate goal being adult franchise and the further extension of franchise being

made in the light of the previous experience. This would also provide a valuable educative preparation for the strata of people immediately below the voting classes.

(*c*) I am definitely for single-member constituencies as against multi-member divisions. One of the desirable things aimed at in the enlargement of the Council is that each member should be in close touch with his constituents and for this purpose, a limited single-member constituency would be much better than a larger one with several members whose responsibilities would be undivided and indeterminate. This would also avoid the canvassing for single votes which has been an undesirable feature of the canvassing in multi-member constituencies.

II. As regards the Indian Christian Community, the question has to be decided as to whether they should continue to have separate electorates or whether any satisfactory system of reservation of seats in a general electorate could be devised. Ideally, there can be no question that the latter system would be preferable. I have considered and thought over various schemes which might be devised under the latter category but in all of them we are faced with serious difficulties and disadvantages. I shall enumerate some of them :—

(1) There is the fundamental objection that the communal candidate returned in such a general election will not be a true and proper representative of the community. In order to get over this objection, it has been proposed that a minimum of communal votes should be prescribed. This could only ensure a fraction of the communal votes and this also leads to other difficulties, *e.g.*, it would make the non-communal votes of very little value, because one candidate can defeat his rival by preventing him from securing his communal minimum and disregarding the large mass of the non-communal votes.

(2) If we take the number of seats allotted to the Indian Christians by the Madras Committee, 11 seats will have to be distributed among 25 districts and these districts will be grouped according to the Christian population. In this way, one constituency may even cover 4 or 5 districts. (At present the Madras constituency covers about 8 districts.) A constituency of all the general electorates in 4 or 5 districts will be an impracticable thing. On the other hand, if we should reserve the Christian seats in specially selected areas, it would be objected to by the Christians in non-reserved areas that they have no voice in returning the Christian representatives and that candidates in the non-reserved areas will not have a fair chance against the candidates hailing from the reserved areas. Any system of rotation would also be unsatisfactory and difficult to work.

(3) I may also say here that the large body of Indian Christian leaders and people in this province are for separate electorates. I am aware there have been and there are brilliant exceptions to this, such as Mr. K. T. Paul whose untimely death is a great loss to the community and the country. But in these things we have to reckon with the solid body of opinion in the community rather than brilliant pioneers of thought and progress. The case of Madras is entirely different from that of other provinces in this matter. In the other provinces, generally speaking the Christians are too few to be formed into separate electorates. Reservation may be the natural and the only practicable course for them. In Madras, the system of separate electorates has been introduced and has been working satisfactorily. Just at the eve of the introduction of full responsible government in the provinces, it is necessary to give due weight to the wishes of the community concerned, before making any change in their scheme of representation. I may point out here that deputation of the Madras Indian Christian Association led by Mr. Paul Appasawmy and the deputation of the Catholic Association led by Mr. Arputhasawmy Udyar, then a member of the Legislative Council, demanded the continuance of separate electorates for Christians. I was a member of the Madras Committee co-operating with the Simon Commission and heard this evidence. Both the Madras Government and the Madras Committee co-operating with the Simon Commission recommended separate electorates for Christians and the Govern-

ment of India in their despatch on the Reforms, also refer to the desire of the Madras Christians for separate electorates. I would agree that this system of separate electorates may only be a temporary expedient and that, say, after 10 years, the position should be reconsidered in the light of experience of the working of the system under a fully responsible government.

In this connection, I would commend the suggestion of Diwan Bahadur M. Ramchandra Rao that a member of a separate electorate should be given the option of enrolling himself in a general electorate. This would give opportunity for enlightened leaders to educate public opinion and would facilitate the ultimate abolition of separate electorates. If deemed necessary, a maximum may be fixed for such transferences, to prevent the stampeding of general electorates by communal voters.

III. Only one other matter I have to refer to and I have done is the number of seats for the Christian community. The number of seats recommended by the Madras Committee was arrived at after very careful consideration and discussion. I think that is the minimum which the community would accept. The Indian Christians in Madras are an enlightened body of people. They lead the province in the matter of women's education and in male education, they stand second only to the Brahmins. They have very large educational interests in this province and these Christian institutions have contributed and are contributing a great deal to the general education and enlightenment of this province. I may also mention here that in all the Montford Reform Councils there have been two nominated Indian Christians in addition to the 5 elected members and in 1923, Mr. Ponnusawmy Pillai, an Indian Christian, was nominated to represent Protestant Christians. This would appear from the roll of members published by the Government.

I think taking all things into consideration the number eleven is a fair and reasonable estimate and may be approved by the Franchise Committee.

In conclusion I would state that this memorandum is in substantial agreement with the views of the Tinnevelly Indian Christian Association of which I am the President and also of prominent Indian Christian leaders in Madras such as Messrs. Appadurai Pillai, the President of the Madras Indian Christian Association, Paul Appasawmy, the Hon'ble Sir David Devadoss and Rao Bahadur A. P. Pannirselvam, member of the Round Table Conference.

Mr. DANIEL THOMAS, M.L.C.

1. *The Chairman :* Mr. Thomas, you are a member of the Provincial Franchise Committee and I am therefore not examining you on your general views. You are here giving evidence regarding one section of the Indian Christians.

2. Now, in view of the statement made by Dr. Ambedkar at the Round Table Conference and also by Mr. K. T. Paul and another gentleman from Bengal that the central organisation of the Protestant section was against separate electorate I want to know from you whether you think they want separate electorates?—I would submit, my Lord, that so far as the Madras Presidency is concerned, the position of Indian Christians is different from what obtains in other provinces.

3. I want to know the position of Indian Christians in Madras?—So far as Madras is concerned, for the last ten years there has been introduced a system of separate electorates and they have been electing 5 members. The rank and file of the Indian Christians in this province as also a large number of prominent leaders of the community both in Madras and in the mufassal are still in favour of having separate electorates for at least another ten years to come. I know and I do admit that there have been some brilliant exceptions to the views which are herein expressed. For example the late Mr. K. T. Paul and certain others were thinking that national unity will be better served by the Christians merging themselves in a general electorate. But I believe

that the times are not ripe for such a decision and for the present, the separate electorate should be continued for at least 10 years to come.

4. Is that the official opinion of the organisations of both sections of the community in the province of Madras?—I may mention here that Mr. Appadurai Pillai, who was Director of Industries in the Madras Presidency, is also of the opinion which I have mentioned in the memorandum.

5. *Diwan Bahadur Ramaswami Mudaliyar:* Just to give the members of the Parliamentary delegation the correct idea of the position of the Indian Christian community in relation to other communities, may I ask whether, having regard to the fact that you demand a separate electorate, you at the same time suggest that there is any clash of interest between your community and the Hindu community in this province? Do you suggest that?—I suggest that though such things have not been very prominent in the past, under conditions of full responsible provincial autonomy, such occasions may arise.

6. We need not indulge in prophesy. I am only talking of the past. In the past there has not been any serious clash of interests?—Except occasionally. For instance, I have pleaded in the Legislative Council that depressed classes belonging to the Christian community are in the same economically backward state as the Hindu depressed classes and that therefore all the facilities which the Government afforded to Hindu depressed classes in the matter of darkhast and educational scholarships should be afforded to the Christian depressed classes also. But the Hindu majority has not allowed my view to prevail. In connection with that discussion there was a leading article in the " Madras Mail " which supports my views. Unfortunately, however, I could not bring my colleagues to see eye to eye with me.

7. Leaving aside the article in the " Madras Mail " for the moment, did the depressed classes themselves very strongly dissent from the view that the scholarships earmarked for them should be given also to the Indian Christian depressed classes?—Their complaint was that the money allotted to Hindu depressed classes should not be reduced. They had no objection to a separate allotment being made for the benefit of Indian Christian depressed classes.

8. The drawback of the Indian Christian depressed classes is economic and no other?—Quite so.

9. So far as the economic position is concerned, there are large masses of Hindus who are equally depressed?—You are much more competent to express an opinion on that matter than I.

10. So far as the general question of Indian Christians is concerned, in fairness to the community to which I belong, you will admit that two successive Presidents of the Madras Legislative Council were elected by the overwhelming majority of Hindus and Muslims in the Legislative Council from members of the Indian Christian community in the last ten years?—Quite so, but they were elected entirely on personal grounds.

11. But the fact that they were Indian Christians was not a disqualification?—Not for men of such outstanding qualifications.

12. More than one Indian Christian has been elected as President of a municipality in this Presidency?—Quite so.

13. There are other cases also of Indian Christians holding honorary and paid offices such as Co-operative Society officers, District Educational Councillors, Vice-Chairmen of municipalities and so on having been elected thereto by large majorities of Hindus and Muslims?—I would not subscribe to it if you say that that is very general. But there have been exceptional cases, I admit.

14. I was not suggesting that as a general rule Hindus went out of their way and selected Indian Christians. I was only suggesting that there were exceptions and that the Hindu majority has not been quite so bad as it has been painted to be and that it has been taking a catholic view of all Indian

Christians?—You will see that there are various local conditions which give prominence to particular Indian Christians. I do concede that on certain special occasions, in spite of their being Indian Christians, and not because, but in spite of their being Indian Christians, they have been elected.

15. *Mr. T. S. Ramaswami Ayyar:* Following Mr. Ramaswami Mudaliyar's suggestion, may I ask whether you are aware that an Indian Christian was once appointed as the Principal of a Hindu College in Madras?—Quite so. I remember that. The same gentleman was subsequently elected as member of the Legislative Council and President too.

16. *The Hon'ble Mary Pickford:* You say in your memorandum? That the Indian Christians lead the province in the matter of women's education?—Yes.

17. Do you accept the recommendation of the Provincial Franchise Committee that they should have merely a bare literacy qualification?—Yes.

18. And Secondary School Leaving Certificate for men. Would that result in enfranchising a larger proportion of women of your community than of any other?—I believe so.

19. You will enfranchise every woman?—Not every woman. A good proportion of them.

Memorandum submitted by the MADRAS PRESIDENCY ORIYA ASSOCIATION, Berhampur (Ganjam).

This Association, in its Memorandum presented to the Indian Statutory Commission in 1928, had stated that having regard to the illiterate and ignorant condition of the vast masses of the people of this country and the unfamiliarity of all classes in general with the system of representative government based on a democratic franchise, as also in view of the practical difficulties attendant on admitting to franchise, in such circumstances, a large proportion of the population in a country of multi-millions, there should be no radical alteration in the extent or basis of the franchise for the Provincial Legislative Council, simultaneously with the introduction of the experiment of responsible government in the Provinces. This Association is not convinced that since then there has been any appreciable improvement in the general condition of the masses or in the spread of political education in the country and if the issues had been left open for the decision of this Committee and the matter had not become *Res Judicata* by reason of the recommendations of the Franchise Sub-Committee of the Round Table Conference, this Association would have felt constrained to enter its opposition to any sudden broadening of the franchise. As consideration of the question whether there should be any extension effected in the present franchise appears to have been closed by virtue of the decision reached by the Round Table Conference, the following suggestions in answer to the questionnaire have been framed on the assumption that there shall be a widening of the franchise so as to bring within the ring of the electorate 10 per cent. of the population in the minimum.

(*a*) The most satisfactory way—in the opinion of this Association—of compassing an electorate consisting of 10 per cent. of the population of the Province is to add to the existing property qualification two other alternative qualifications of franchise, namely, (*i*) being a literate (*i.e.*, V class and over) and above twenty years of age and (*ii*) being the manager of a household—whether male or female—in occupation of a house during the period of enrolment whether in his or her own right, or as lessee, or as licensee. The period of enrolment in this connexion is to be defined as being the period between the date of the entry of names in the preliminary rôle and the week penultimate to that in which objections to the preliminary rôle are fixed to be entertained and heard. The alternative educational qualification will, it is estimated, bring in an additional 4 millions of voters to the

Memorandum by the MADRAS ORIYA ASSOCIATION. [*Continued.*

existing 1½ (one and half) millions while the household qualification proposed will contribute approximately another 1 million. The adoption of the above two alternative tests as additional qualifications for franchise—it is submitted—will render the electorate fairly broad-based, and will do away with the anomalous preference that is now being shown to the propertied illiterates over the un-propertied literate elements. It will also soften the inequalities of franchise now obtaining between males and females—for though under the personal law of the vast majority of the people of this country—it is the males that are regarded as holders of family property there is nothing preventing women from acquiring literacy amidst the amplitude of opportunities now provided, and even of being managers of households in the occupation of a house (whether in their own right or as lessee or licensee). This Association is agreeable to a lowering of the educational qualification for the females if the Committee consider that course more reasonable and fair to the fair sex. The proposal, if adopted, will also contribute considerably towards the solution of the problems of the depressed classes a satisfactory approach to which appears to be almost non-existent. This Association in this connexion, has considered other possible devices whereby approximately 10 per cent. of the population can be enfranchised. Adopting the franchise for the municipalities and local boards can, for instance, also secure that result bringing on the electoral register 4,900,000 voters, but it will stereotype the existing injustice done to the unpropertied literates, to women, and the depressed classes. A second possible method would be to enfranchise all the adult literates of over 20 years of age in addition to the existing voters. But that too will leave the problem of women and the depressed classes untouched. Reducing the present property qualification by half and conferring franchise on the adult literates would be the third possible device, but that will also be open to the same objections as the second alternative method considered immediately above. Giving the vote to the adult literates alone and discarding the present property qualification is no doubt one plausible method of reaching the requisite percentage but for obvious reasons it is out of the question.

(*b*) It is not expected that such an electorate as proposed above will be capable of making an intelligent choice of representatives appreciating the issues at stake and holding the representatives to their responsibility, but the advent of the literate elements is sure to improve the tone throughout.

(*c*) The administrative difficulties of wielding such an overwhelming electorate will be very considerable, but the task will not be beyond practicability. The work of enrolling the voters under the present property qualifications is not found to have been exacting, and enlisting literates over 20 years of age and the managers of families resident in a house or part of a house will not add very much to the burden. As to recording and counting of votes, if the practice of spreading the operations for over a few days be adopted in spite of its obvious drawbacks, the difficulties apprehended can be avoided.

(*d*) No specific suggestions appear to be called for in view of what has been afore-stated.

(*e*) As has been already stated this Association, if it had unfettered choice in the matter, would be against any radical extension of the franchise in the present backward state of the masses as also in view of the practical difficulties attendant upon such extension. This Association is definitely of the opinion that any violent enlargement of the electorate beyond the proposed 10 per cent. at present will be altogether inadvisable and impracticable and the whole machinery will break down through sheer weight of numbers.

(*f*), (*g*), (*h*), (*i*) & (*j*) After full consideration of the group system which has been suggested with a view to diffuse franchise as far as possible

avoiding at the same time the practical and other difficulties attendant on universal adult suffrage, this Association is emphatically of the view that it will be cumbersome, unworkable in practice, and far more taxing in respect of the enrolment of the primary electors and securing the election and enlistment of the representative voters than the system of universal adult suffrage without the undoubted intrinsic merits of the latter device. The adoption of this system will lead to endless election disputes and instead of adding to rural happiness will introduce disunity and disruption in the uninitiated life in the villages. Responsibility of the representative voters to the primary electors and of the elected representatives to the legislatures to the constituency will be rendered elusive and unreal in the process, and the very purpose of the scheme will become nugatory. On top of all it is extremely problematical whether in the present state of political consciousness there will be enough persons willing to come forth to stand for election as representative voters and undergo the trouble and annoyance of electoral candidature in the end to acquire a status and a privilege which others—no better than themselves, enjoy in thousands. The idea of a separate constituency for representative electors is as inadvisable as impracticable, and the proposal that representative electors alone should be qualified to stand as candidates in constituencies of representative electors is almost fantastic.

2. FRANCHISE QUALIFICATIONS.

(*a*) Though the franchise qualifications in the urban and rural areas are different, there is no marked disparity as regards representation between them so far as this Presidency is concerned. If extension of the franchise be effected in the manner suggested above, it is believed that no question of disparity in the distribution of the privilege between the two classes is likely to arise.

(*b*) This Association recognises the essential equity of the voting strength of a community being in accordance with its proportion in the aggregate population. But it is emphatically opposed to prescribing one qualification of franchise for a member of one community, and another test for a person belonging to another. That will place a premium on the profession of a particular religion, or religions which is unmerited, and with the spread of the desire to vote will operate as an instrument of religious propaganda which will be intolerable. It is hoped however under the electoral qualifications proposed by this Association every community will have equal opportunity of being represented on the voting register, and there will be no need at all for introducing any invidious distinction of the sort.

(*c*) Possession of property of some kind in the view of this Association, is fairly a suitable test of fitness for franchise. When universal adult suffrage is not to be resorted to, some distinctive qualification or other has to be hit upon, and this Association thinks that possession of property of some kind affords a fairly reasonable distinction. Besides, it is the propertied classes that contribute generally to the State Exchequer more than any other, and it is but proper that he who pays the piper must have a voice in ordering the tune. No doubt in the present illiterate condition of the Indian masses, an anomalous hardship results to the literate and educated classes not owning property, but under the system of franchise afore-recommended the anomaly and hardship will very considerably disappear.

(*d*) It will be seen from the above that this Association is in favour of making possession of education of a certain standard a qualification for franchise independent of the ownership of property. It regards passing of the Primary or the fifth standard examination or a corresponding examination of a Sanskrit or Urdu School as sufficient. This Association is prepared to regard as adequate passing of the examination of a lower standard in the case of females.

(*e*) This Association is in favour of retaining the existing Military Service qualification and is also for extending the franchise to those who have service to their credit in the Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) The proposal for any considerable extension in the suffrage of women is exceedingly premature in the present ignorant and backward condition of India's womanhood. Though female education is of late making satisfactory progress compared to the state in which it was a few years ago, the movement is very largely confined to urban areas, and the immense mass of women in this country, particularly resident in the rural areas, still remain sunk in colossal superstition and ignorance. In several parts of the country still they live and die strictly confined behind the purdah, and even in communities or castes in which the purdah system in its rigidity cannot be said to exist, the women feel as much compunction to appear in public as their strict purdahnashim compeers. Indeed the wife of the farmer who does not feel shy to work in the fields along with other male labourers and assist generally the male members of the family in agricultural operations, regards her sense of modesty as having been most mercilessly outraged if cited to appear in a Court of Law or made to appear in any other place of public resort such as the public meeting, theatre or cinema hall. In this state of their condition, it is exceedingly idle to enfranchise a large number of women by the application of a mechanical rule or device in order to redress the inequality between the men and women on the electoral register. This Association regrets its inability to agree with the suggestion of the Indian Statutory Commission that the wives and widows (of over 25 years of age) of men entitled to vote under the property qualification should be enfranchised for the Provincial Legislature. For one thing, this will virtually tantamount to vouchsafing two votes to the married man as against one to the unmarried or the widower, for the helplessness of women, and their utter dependence upon their male partners in life being what it is in India to-day, it can scarcely be expected, save in very exceptional cases, that they will exercise their franchise making an independent selection. Moreover, such enfranchisement will to a certain extent give an undue advantage to the family of the low class voter over the voter occupying a higher rung in the ladder, for while the wife of the former will have no objection to attend the polling booth and record her vote, women of the latter's family will regard it as nothing short of a scandal that they should expose themselves to the public gaze for the sake of exercising franchise for the benefit of some third person. This Association considers that there will result an automatic extension in the female franchise in the scheme of qualifications proposed by this Association, and with the acquisition of education and property rights by women, the inequality will be evanescent.

(*b*) So far as this Association can visualise, the proposed group system will prove even more impracticable and irksome if it is attempted to apply it to women.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

This Association believes that in the present educational and economic condition of the depressed classes, and the colossal prejudice subsisting against them, nomination is the most suitable device by which their representation can be secured in the Legislature. If the general sense of the Round Table Conference against the system of nomination is the last word in the matter, then this Association is of opinion that their representation can be best secured by reservation of a specified number of seats for them in the general constituency. This Association does not think that the adoption of the franchise qualifications proposed by it will itself enable the depressed classes to return representatives of their choice, but it

certainly will place them in possession of a fair percentage of the votes which coupled with reservation will constitute adequate safeguard for their position. This Association now is definitely opposed to the creation of separate electorates for the depressed classes, nor does it consider the device recommended by the Madras Simon Committee as a suitable arrangement. The group system is deemed no more suitable to the depressed classes than to others.

Memorandum submitted by the SOUTH INDIAN RAILWAY CENTRAL LABOUR UNION, Golden Rock, Trichinopoly, Madras.

Representation of Labour.

Before proceeding to narrate my suggestions on the above subject, I have to give a short history of this Union. This was the Labour Union in South Indian Railway, the strongest and the most powerful Union in the Madras Presidency, but after the general strike in 1928, this union was shattered to pieces and is just regaining its old position.

This was revived last year and it will complete its first year of existence by the close of the official year and the Union can claim now nearly 3,000 members at Golden Rock. A branch was recently opened at Madura.

A meeting of the labourers was held on the 16th instant at Golden Rock and the following resolution was carried:—

"This meeting requests Mr. D. Krishnaswami Pillai, President, to prepare a report immediately regarding the electorate, representation, etc., for the labourers in the Legislative Council and submit the same to the Secretary, Franchise Committee."

but at another meeting held on the 20th instant, the following resolution was adopted:—

"While disapproving the recommendations of the Madras Franchise Committee allotting three seats only to the labourers in a council which consists of more than 200 members and while recommending more seats for the capitalists and other representatives of the Employers' Group, this meeting is of opinion that not less than six seats should be allotted to the labourers."

In this connexion I have to state that three seats recommended by the Committee is insufficient for the growing labour organizations in this Presidency and at least six seats should be allotted for them if not more seats. The six seats may be distributed as under:—

Two railways one for each, two for textile workers one for the north and one for the south of Madras, two for other class of workers for the north and the south of Madras.

The membership in a registered trade union may be taken as the qualification for a voter and the unions may be asked to elect the representatives.

I hope when you make your recommendations, the above suggestions will also be considered.

Memorandum submitted by Khan Bahadur MAHMUD SCHAMNAD Sahib Bahadur, M.L.C., "Sea View", Kasaragod, South Kanara.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF FRANCHISE.

(*a*) In order to include 10 per cent. of the population in the electoral roll it may be necessary to introduce a qualification based on payment of any tax of whatever amount.

Memorandum by Khan Bahadur Mahmud Schamfad. [*Continued.*

(*b*), (*c*), (*d*) and (*e*) I think such an electorate will be capable of casting an intelligent vote and it would be administratively manageable both in the matter of the arrangements for the preparation, maintenance and revision of the electoral rolls and also in that of measures necessary for the proper recording and counting of votes.

I don't think it desirable to enlarge the electoral roll still further, and it may not be practicable also, although it is possible to do it by making the occupation of a house one of the qualifications for a voter.

(*f*) I think the system of grouping individuals in groups of 20 or more for the election of their representatives will not be feasible, nor will it be advantageous. They will not only be unmanageable, but undue influence also will have a free play.

Even if such a system were feasible I don't see any objection in their voting in the same constituencies as the directly qualified electors.

(*g*) In the event of separate constituencies being framed for group electors, I don't favour the idea of allowing only group electors to stand as candidates for such constituencies.

(*h*) I would have liked the suggestion to abolish all existing qualifications for voters and to extend to all adult voters some system of the kind described in (*f*) above, but in consideration of the circumstances and conditions prevailing in India, I don't think that it would be feasible for a long time to come.

(*i*) When it is found to be feasible a suitable size for out groups would be of about 30. Revenue Inspectors and other subordinates of Tahsildars not lower than the rank of a Revenue Inspector may be charged with the duty of framing them.

(*j*) I should think that persons chosen by out groups as their representatives should have both property as well as educational qualifications.

2. Franchise qualifications.

(*a*) It is true that a larger number of people are enfranchised in urban areas compared with rural areas, but I don't think it is in any way more than the difference that ought to exist between the urban and rural people.

(*b*) It is essential that the voting strength of a community should be proportionate to its number. It is much more so in the case of a minority community. I think this object can be attained by making the occupation of a house or literacy qualifications for the franchise in the case of Muslims, depressed classes and such other poor and backward communities.

(*c*) I think the possession of property of some kind is a suitable test of fitness for the franchise. The present property qualifications have to be modified by making the possession of property of whatever value one of the qualifications.

(*d*) I am in favour of making literacy a qualification independently of property especially in the case of Muslims and such other minorities. I consider one as literate if he is able to read and write.

(*e*) I am in favour of retaining the existing Military service qualification but not of extending it so as to include service in the Auxiliary and Territorial forces.

3. Women's Suffrage.

(*a*) I am not in favour of the proposal of the Statutory Commission that the wives and widows of men entitled to vote under the property

qualification should be enfranchised, but I am willing to apply the qualifications of literacy or payment of any tax to women also. If this method is adopted I don't think there will be much disparity in the number of men enfranchised compared to women.

(*b*) If the system of group representation is adopted women also may be formed into groups along with men, but not separate groups for women only.

4. Representation of the Depressed Classes.

I think the depressed classes are not likely to secure representatives of their own choice in the general electorates through the general extension of the franchise unless they are accorded separate electorates, and in addition occupation of a house is made a qualification for franchise.

5. Representation of Labour.

I think adequate representation of labour can be secured both industrial as well as agricultural by authorising registered labour unions to return their representatives.

II.—THE FEDERAL LEGISLATURE.

6. Allocation of seats to British Indian Provinces.

(*a*) I am in agreement with the proposal of the Federal Structure Committee that the representatives of the British Indian Provinces in the upper chamber should be elected by the Provincial Legislatures. But the method of election must be such as will secure to the minority communities their due share of representation and also the representatives of their choice.

(*b*) I consider that the franchise qualifications for the federal legislatures should be higher than those for the provincial legislatures. The existing franchise qualifications for the provincial legislatures may be considered sufficient for the future federal legislatures.

(*c*) In consideration of the difficulties which will have to be encountered in dealing with large constituencies, I think some indirect form of election through the provincial legislatures as stated in reply to question (*a*) may be adopted in this respect also, although perhaps the difficulty in the case of urban areas may be somewhat lesser.

7. Representation of Women, Labour and Depressed Classes.

I think separate provision will have to be made for the representation of labour and the depressed classes in the federal legislature, but no such thing need be done in the case of women.

8. I believe questions relating to the composition of the provincial legislature is outside the scope of this questionnaire. If the Franchise Committee intends to deal with this matter I am emphatically of opinion that it is essential that the present proportion of the Muslim members to the other elected members in the local Legislative Council should be maintained in any future constitution.

Memorandum submitted by Mr. C. BASUDEV, M.L.C., President of the Madras Provincial Central Labour Board and Labour Representative in the Madras Legislative Council and Member of the Madras Provincial Franchise Committee.

Mr. S. NETESA MUDALIER, Honorary Joint Secretary of the Madras Provincial Central Labour Board and Member of the Madras Excise Licensing Board, Employed as Head Jobber in the Winding Department in the Choolai Textile Mills and

Mr. T. M. PARTHASARATHY MUDALIER, Editor of the Labour Vernacular Weekly "Tholilalan", General Secretary of the Madras Kerosine Oil Workers' Union and *Ex*-Honorary Secretary to the Madras Provincial Central Labour Board.

Adult Franchise is our ideal, but if on account of administrative difficulties it is not possible to adopt Adult Franchise, we wish to have special representation for Labour, Industrial, Plantation and Agricultural. The case for especial representation of Labour is strengthened by the fact that Employers have asked for special representation of their interests in the Councils.

Agricultural Labour is not organized except to some extent in the Districts of South Arcot, West Godavari, East Godavari and Vizagapatam. In the course of a year or two it will be well organized and by the time the New Reforms are introduced their Organization will be quite satisfactory. Though most of these Labourers are drawn from the Depressed Classes, they are so poor that they will not come on the Electoral Rolls of the Depressed Class Constituency and therefore to deny this people representation in a special Labour Constituency on the ground that Depressed Classes will have a separate constituency of its own, would be unjust.

Plantation Labour is also not organized, but, is capable of good sound Organization, provided the Planters do not oppose such organization. Here also Depressed Class Labour preponderates, but, they are also poor and cannot come on any Electoral Roll.

Industrial Labour.—The definition of Industrial Labour is wide enough to include within its scope workers outside the factories. House-building, Road making, Motor Transport, Tanning, and many other occupations come within the definition of Industries. But, it is all outside Factories as at present defined in the Factory Act. The Proposals of the Local Franchise Committee do not enfranchise Labour outside the Factories. This is a great hardship and injustice. The Fact that only about 30,000 and odd workers are organized through 22 registered Trade Unions, should not stand in the way of accepting registered Trade Unions as the basis of franchise.

In Madras there is a Central Labour Organization called the Madras Provincial Central Labour Board with 42 Unions as its members with a total strength of about 35,000. Most of these Unions are about to be registered and as a matter of fact two big Unions, the Madras Corporation Workers Union, with a strength of about 6,000 persons and the Madras Electric Tramway Traffic Workers Association with a strength of about 600 have been registered last month and the Madras Motor Transport Workers Union, with a strength of over 1,000, has applied for registration last month. We cannot advance a better and stronger reason than that advanced by the Whitley Commission on page 462 of their Report in their paragraph on LABOUR AND THE FRANCHISE.

Memorandum by Messrs. G. BASUDEV, S. NETESA MUDALIER & T. M. PARTHASARATHY MUDALIER. [*Continued.*

Workers engaged in Road making throughout the 25 Districts in this Presidency are easily over 50,000 and those engaged in House-building would be more and in Motor Transport will be about 15,000 and in Tanning Industry 150,000.

We are aware that if registered Trade Unions are accepted as the basis of Franchise, there is a danger of the biggest Unions as the Madras and Southern Mahratta Railway Labour Union in the case of this Province swamping the others. We therefore tentatively suggest division of Industrial Labour into 4 groups, Railway, Transport other than Railway, Textile, and other Industries, and that 4 seats at least may be reserved for these 4 departments of Industrial Labour for this Presidency and that 1 seat be reserved for Plantation Labour and two for Agricultural Labour. We are aware of the difficulty of a candidate, canvassing through such a wide area as this Province. But, the advantage of the principle of division of Labour into vacational departments out-weighs the difficulty of canvassing throughout the Presidency.

As an alternative suggestion, we recommend that registered Trade Unions should be the units of Franchise while the Unions should be given votes proportionate to their numerical strength, subject to a maximum limit of 10 or 15 votes, every 500 members of the Union getting a vote—The Electoral College system as is obtaining in Bombay for election by Labour to the Corporation Council with the addition of fixing a maximum voting strength of the Union.

The complaint that Trade Unions here are not properly organized on the lines of Industries, but have a tendency to organize round individual Employers in individual Firms and Factories, though true, is unfair. In Western countries, Labour is able to organize on proper lines by the Industries, because the conditions of labour and the wages are standardized in the different Industries and the main function of Labour there is to agitate and bring about better conditions and better wages for the whole Labouring population in a particular Industry. But, here in India, particularly in Madras, the same Industries in the same place vary very much, and the Employees of particular Industries or Firms are forced to organize themselves separately to better their own conditions first. For instance, the wages in the Buckingham and Carnatic Mills in Madras are much higher than in the Choolai Textile Mills, Madras. Unless and until a standardized wage and uniformity of working conditions are brought about, the tendency to organize round individual Firms and Factories will continue and that with a good measure of reasons and propriety. But, at the same time, Labour here is not blind to the necessity of organizing on the lines of an Industry. The All-India Railwaymen's Federation is one of the biggest Labour Organizations in this country, but instead of individuals, Labour Unions of different Railways are Members of that Federation. There is a very serious attempt made to organize a Federation for Textile Labour Union and as a matter of fact one, in name only, already exists. The Printers are organizing into a Federation, and we dare say similar Federations of Labour Unions in other Industries and Agriculture and Plantation also would soon be emerged and be accomplished facts.

Bombay.

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BOMBAY.

Dated 7th March, 1932.

PRESENT :

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, AND ALL MEMBERS OF THE BOMBAY PROVINCIAL FRANCHISE COMMITTEE, EXCEPT MR. G. L. WINTERBOTHAM AND MR. G. S. RAJADHYAKSHA, I.C.S.

Mr. R. G. GORDON, I.C.S., Collector, Magistrate and Political Agent, Surgana, Nasik.

Mr. H. F. KNIGHT, I.C.S., District Magistrate, Sholapur.

1. *The Chairman :* Mr. Gordon, you have been in charge of elections and you know the actual method of conducting elections ?—Yes.

2. I understand that originally you had coloured boxes in this province, but you have now substituted a system of cross and symbols ?—Yes.

3. Would you tell us, in the first instance, why the coloured box system was discarded and, secondly, what the cross and symbol system is exactly ?—I cannot say why the coloured box system was discarded. I think it must be because of too many boxes, with many different colours.

4. There are only five primary colours ?—Yes.

5. What is the cross and symbol system ? Each prospective member has a symbol given to him, say, an umbrella or a tiger or a waggon and that is printed on the voting slip. The voter comes in and makes a cross against the symbol for which he is going to vote and then he puts it in the box.

6. Do I understand that the illiterate voter also has to put a mark on the paper ? —Yes, Sir.

7. Would you describe the actual organisation of the polling booth and what is done by the voter, the polling clerk and the presiding officer ? As soon as a voter comes into the booth what happens ?—*(Mr. Knight) :* It varies slightly at each polling station. Polling booths are generally arranged at schools. As soon as a voter arrives at the polling booth he is identified by persons who are expected to know him, by the village officer or a person like that. After the voter is thus identified, the voter's name is traced in the copy of the voters' list and he is given a slip of paper with his number on the list of voters. That is done by one polling officer. He then goes with the slip of paper to another polling officer who again looks his name up in the printed copy of the voters' list and makes a mark in the list against his name. The voter then goes to the partitioned off-space where writing materials are provided. With the pencil kept there he marks a cross against the sign represented by the candidate for whom he wishes to vote. He then goes to another screened area where he puts the voting paper in the box.

8. Does he put the paper in the box in the presence of the presiding officer ?— I do not think the presiding officer actually sees him doing it.

9. What are the duties of the presiding officer as distinct from those of the polling officer ? Has the presiding officer got to mark the votes for illiterate voters ? —He has merely to supervise. He has, however, to come in in case of tendered votes.

10. Am I right in thinking that the voting paper is given to the voter by the polling officer and not by the presiding officer ?—Yes.

11. The presiding officer sits at a table along with the polling officers ?—I do not quite follow.

12. In England, what generally happens is that you have got two polling clerks. One has the roll with him and he identifies the individual voter on the list and the other hands over the polling paper. I understand that this is substantially what happens here except that they do not sit together. Now, who does the identification ?—In villages where there are only a few voters, one polling officer does both identification and marking on the list.

13. Does the polling officer write anything on the ballot paper or the counterfoil and, if so, what ?—I would have to look up the rules. I think the polling officer has to stamp the counterfoil with the rubber stamp provided.

14. You cannot tell us at the moment what writing he has to do ?—(*Mr. Gordon*) : He has no writing to do.

15. You are quite sure ?—Yes.

16. He has to put some number ?—The numbers are stamped.

17. Perhaps you will give us a copy of the polling regulations and also a typical ballot paper and other things ?—Yes, Sir. (*Mr. Knight*) : I have the rules * here, Sir. On the counterfoil we enter the name of the constituency, the voter's number in the register, and the signature and thumb impression of the elector.

18. *The Chairman* : That is on the counterfoil ?—Yes.

19. Have you any knowledge of the coloured box system as it operates in Ceylon and some of the provinces ? The advantage of that system is that the voter has not got to make any mark on the paper. It is very advantageous in the case of the illiterate voter. And the whole process is simplified from the point of view of making entries. You have no knowledge of the working of that system ?—No. But it means a separate box for each candidate.

20. Yes. It works in other places quite successfully and it has been adopted in Ceylon, where they poll 60 per cent. of the population. As far as the operation is concerned, there has been no difficulty in working the system. Now, perhaps I may turn to another side of it. Will you explain the method which you adopt in multi-member constituencies, which I understand you have in Bombay. There are certain constituencies which return three members, others which return two, and there are also single-member constituencies. Now, what is the method of polling you adopt ? Is it a single non-transferable vote, or is it a cumulative vote, or have you two votes for three people ?—We have as many votes as there are members.

21. Can you cast them all for the same candidate ?—Yes, one may cast all votes for the same candidate.

22. You have got complete discretion as to how many to cast ?—Yes.

23. Is there any objection to the system ? Is it criticised ?—Yes, it has been criticised.

24. And it is that system, no doubt, which led to the difficulty of a multitude of coloured boxes. If you have three members, you may have 8 or 10 candidates in the field ?—Yes.

25. It is easier to identify people by cross and symbol than by colour ?—Yes.

26. There has been no inherent difficulty in using the cross and symbol ? Combining that system with the ballot paper which has not got any mark on it, could you label the boxes with the same symbols with which you now label the ballot papers ?—Yes.

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* *Vide* Appendix A, pages 272 to 278.

NOTE.—The memoranda of the Government of Bombay are printed in Volume II.

7th March, 1932.] Messrs. R. G. GORDON & H. F. KNIGHT. [*Continued.*

27. There is no administrative impossibility about it. The voter can drop his ballot paper into the symbol box instead of making the mark on the symbol paper ?—Yes.

28. *Diwan Bahadur Ramaswami Mudaliyar :* I do not understand this cumulative vote. Am I to understand that at present there is the system of cumulative voting in multi-member constituencies ? Does it mean that a voter can give all his votes to any one candidate ?—Yes.

29. Is each cross counted as a vote ?—Yes.

30. As many crosses as there are votes against that name will be counted as so many votes for the candidates ?—Yes.

31. And I take it that there are also single-member constituencies ?—Yes.

32. Are the multi-member constituencies in both rural and urban areas, or only in rural areas ?—I am afraid I cannot say that.

33. Why is it necessary to take the thumb impression of the voter ?—It is for identification.

34. But there is the village officer who identifies him if there is any question of impersonation. Is it not so ?—Questions of impersonation do occur even in spite of the village officers.

35. Has there been any case where a man has been held up for impersonation on the strength of his thumb impression or signature ?—I cannot say that there have been cases.

36. Would you agree that cases of impersonation are infinitesimal ?—Yes, at present.

37. And the wider the franchise, the less reason for impersonation ? The larger the number of voters the less reason for impersonation, unless it is done wholesale ?—Yes.

38. Am I to understand that the literate voter has to sign in the counterfoil of the ballot paper ?—Yes.

39. *Major Milner :* Has either of you gentlemen acted as a presiding officer or a returning officer ?—Yes, as returning officers.

40. Have you, in the capacity of a returning officer, visited a polling booth ?—(*Mr. Knight*) : Yes.

41. I have in my hand a note* on the procedure at elections which seems to differ somewhat from what you tell us. In the first place, there appears to be no suggestion here about identification. Are you quite sure that the steps you have indicated are invariably taken ?—Yes.

42. A village officer or somebody is there to identify the voter ?—Yes.

43. What is the object ?—To prevent impersonation.

44. Do you consider it essential ?—Yes, I do consider it essential.

45. Would it be convenient, Sir, if I read what is contained in the Note on Election Procedure below the diagram† ? It runs: 'In the compound B C D E he finds tents pitched for the several candidates. As soon as he enters the compound, he is asked by the candidates or their agents (who generally know him) for whom he wishes to vote and is taken by the candidate (or agent) into the tent of the candidate for whom he wishes to vote. His name is then checked with the copy of the electoral roll with the candidate ; he is told, if necessary, how he is to vote, etc.' That is apparently what is done in England. Then it goes on : " he is told, if necessary, how he is to vote, and against which symbol and name he is to affix the cross and how many . . . " The whole procedure is explained there. Are we to understand that this is the correct procedure or that the version

* Appendix, pages 268—272.
† Page 271.

the witness has given is the correct version ?—(*Mr. Knight*) : I may say, Sir, that the voter is taken to some house in the vicinity of the polling booth. It is there that the candidates collect voters and explain to them against which symbol they should put the cross, or as many crosses as they like, to which they are entitled.

46. Is this accommodation for the purpose of explaining and so on provided by public authority ?—My experience is that it is always provided by the candidates.

The Chairman : There is the paragraph which explains the procedure inside the polling booth, lower down. What you have read relates to what is done outside.

47. *Major Milner :* One would imagine from what I have read that that provision is made by public authority. But I gather from the witness that in his experience it is more or less arranged by the candidate. Now, where is this identification done ? Is it done in the polling booth ?—In certain places it is done by the polling officer at the entrance of the polling booth. The polling booth is usually a school house ; and at the entrance, sitting with the polling officer there are the village officers or officials who know the persons to identify the voter.

48. Are any questions put to the voter before identification takes place as to who he is ?—I presume that it must be done to make sure.

49. According to this note, I find nothing said about identification at all, and I would suggest that it should not be necessary. Then, we find here, ' The polling officer, after such enquiry as he considers necessary, ticks off his name and the number on the electoral roll, enters his number on the roll in the counterfoil of the ballot paper and takes his signature or thumb impression on the counterfoil. If I go to the polling officer, with a view to vote, what is the procedure ?—He has to find out what your name is and then whether your name appears in the register.

50. He will have to find my name and look me up in the register, and read out my name ; and then, if I say ' Yes ' tick me off ?—Yes. But I may say that in some villages there are not more than 10 or 12 voters on the roll.

51. I understand you to say that on the counterfoil is entered the name of the constituency, the name and number of the polling station together with the number of the elector on the roll and his signature and thumb impression. Is it not possible to have the name of the constituency printed on the ballot paper and counterfoil ? Is there any difficulty about that ? Is that quite possible ? Is it also possible to print the name and number of the polling station ?—It is very expensive to have the name of the constituency and the number and name of the polling station, because we will have to print a separate number for each polling station.

52. You said that there is only a small number of people voting at one polling station ?—Yes.

53. Have you any figures showing the average number of people voting at each polling station ?—About 2 or 3 hundred.

* * * * * * *

54. *The Chairman :* On what date are the symbols allotted to the candidates ? Is it before the nomination day or on the nomination day ?—The day after the scrutiny of papers takes place.

55. Is it done by the candidates or is it done by the presiding officer ?—They are allowed to choose. After some candidates have chosen, the rest have to choose from the remaining symbols.

56. *Khan Bahadur Aziz-ul-Huque :* One of you, I understand, has experience as a returning officer ?—Both of us.

57. Can one of you give the name of the district in which you had that experience and in what year ?—(*Mr. Gordon*) : In the Nasik district, in 1930.

58. In the Nasik district, are the number of voters roughly 24,000 ?—Just about 25,000.

7th March, 1932.] Messrs. R. G. GORDON & H. F. KNIGHT. [*Continued.*

59. What is the total strength of the polling officers and presiding officers for your district, and in how many days did they poll ?—They all polled on one day. I am afraid I have not got the figures about the strength of officers.

60. In Sholapur you have finished the polling in one day ?—(*Mr. Knight*) : Yes.

61. What was the total number of polling officers and presiding officers there ? —67 presiding officers and 209 polling officers.

62. How many polling stations were there for Sholapur ?—9 for the city and 40 for the rural areas.

63. Were all these presiding officers Government officers ?—Yes, there may have been some local board men.

64. Were these 209 polling officers also Government clerks ?—Mostly. Some of them are school masters.

65. Could you give us an idea as to what number you draw from Government institutions and what number from private bodies, approximately ?—School masters are servants of local boards. They are *quasi*-Government servants.

66. *The Chairman :* And they are utilised ?—Yes.

67. How many outside officers do you use ?—I cannot give the figures.

68. What is the number of voters in Sholapur ?—It is 26,000.

69. *Khan Bahadur Aziz-ul-Huque :* I take it that you allot presiding officers on the basis of a standard number to be polled by each ; or do you really divide the whole district and allot officers for each station ?—Is there any principle on which you allot ?—We consider the geographical situation. We take the accessibility of the various places.

70. Under your system the presiding officer has got a limited power of polling. What is the maximum capacity of the polling officer ?—(*Mr. Knight*) : I don't know that it has ever been tested. (*Mr. Gordon*) : In my district it is about 500.

71. What are your hours for polling ?—From 8 A.M. to 6 P.M.

72. What is the lowest qualification of a polling officer and a presiding officer ? Is there any standard by which you judge him ?—We try to get the best man we can.

73. What is the status of the Government officer whom you choose as presiding officer ? Is he a Gazetted Officer ?—No.

74. Do you take the help of a non-gazetted officer ?—Certainly.

75. *Mr. Chintamani :* Apart from the *quasi*-Government officials, is there any objection to utilise non-official agency ?—I do not think it is necessary to use non-official agency.

76. If the franchise is extended, should you find that the number of officials and *quasi*-officials is not adequate, you would have no objection to the utilisation of non-official agency ?—I shall have no objection.

77. Do you think there will be any administrative difficulty if all the adult members of a family were given the franchise, assuming that there are on the average 4 adult members in a family ?—We have not got the statistics of the average number of adult male members in a family.

78. You have read about the group system. Please give me your experience. What is likely to be the duration of the election of secondaries by groups of primary voters ?—(*Mr. Gordon*) : It cannot be done.

79. You do not even contemplate the possibility ?—(*Mr. Gordon*) : Certainly not. We have not got the staff.

80. You are uncompromising in your opposition ?—(*Mr. Gordon*) : Quite. (*Mr. Knight*) : Personally I think the group system in a simple form could be

worked in the smaller villages. In the larger villages and towns I do not think it could be worked.

81. In your own district what do you think is the maximum of population which could be administratively managed ?—(*Mr. Gordon*) : We could manage 10 per cent. ; not more. (*Mr. Knight*) : I think we should vote three times the present number.

82. *Lord Dufferin :* Can you explain to me why there is such an immense difference in the number of electors allotted to each of the polling stations in the Presidency ? In Ahmedabad city there were 55,872 voters and yet there were only 27 polling stations. There are other places that have 80 to 140 voters per polling station ?—One is a city ; the others are villages.

83. Do you think it possible for 3,400 to vote in one polling station ?—That depends on the number of polling officers supplied.

84. If there is one polling officer ?—It is about 400 per polling officer.

85. Do you think it would be possible, if you had the coloured box system, to combine it with the system of multiple-member constituencies by giving the voter three papers instead of one and allowing him to select the boxes ?—I think it would be possible if you are willing to take the chance of additional papers being supplied from outside and being put in with the others.

86. Do you anticipate any great danger to the secrecy of the ballot ?—I do not like to answer that question as I have not a very great knowledge of elections, and I would not like to say anything from hearsay.

87. You say that if you give him three instead of one he would not know how to use the three ?—Yes.

88. *Dr. Ambedkar :* What staff would you employ in an average polling station ?—In Sholapur we worked in most rural polling stations with one presiding officer and three polling officers under him.

89. How many votes did you on the average poll in a polling station of this size ?—For one polling station 130 votes. I have not worked out the average. (*Mr. Gordon*) : Only about 1,100 in the whole district.

90. Do you think there is anything in the electoral rules as they exist which makes polling a very slow process. Can you suggest anything by way of alteration which would accelerate polling ?—No, I cannot.

91. Do you think it is absolutely essential when a voting paper is issued to a man that his signature and thumb mark should be taken on the counterfoil ?—I think he should be identified.

92. There is nothing in the electoral procedure of to-day which makes voting a slow process ?—Except that everybody is naturally slow. That is all.

93. Coming to the other question of the increase of polling stations in order to enable a large number of voters to poll, do you think it possible to increase the polling stations ?—Yes, there is no difficulty.

94. Do you think you could adopt a polling system by altogether eliminating the necessity of making any marks on the ballot paper ? I will give you an example of what is done in Ceylon. A voter is given a black card with a serial number and a note is made on the counterfoil of the ballot paper that that card is issued. That card is put by the voter in the coloured box. That system avoids absolutely anything going wrong or of the ballot paper being spoiled. Do you think that system is possible, so that the polling may be accelerated ?

The Chairman : I am wondering whether it would not be better to put this down on paper and give the witness time for consideration.

95. *Dr. Ambedkar :* You can keep your animal marks instead of having coloured boxes.

The Chairman : I think we better make a memorandum and get their considered opinions.

96. *Dr. Ambedkar :* The presiding officer and the polling officers know English ? —Certainly.

97. Would it be advisable, or would you object, to have these rules translated into the vernacular so as to help the people who do not know English, or would you insist on the polling officer necessarily knowing English ?—I do not think it would make any practical difference their being in the vernacular.

98. I am suggesting it so as to get the franchise extended and so that there may be no administrative difficulty ?—There is no objection.

99. *Mr. Butler :* In your statement you do not say how the village panchayats are elected ?—By show of hands.

100. Have you considered the possibility of electing secondary voters under the group system by a show of hands,—electing so many people and sending them to represent those voters who are not already on the voting list in groups of 20 ?—We have not got the staff to do it.

101. How do you reconcile your statement that it is quite impossible to run the group system when it has proved successful with regard to the village panchayats ?—I will tell you how those panchayats are appointed. I do not think I will be doing most of the village panchayats an injustice if I say that the facts probably are that the Mamlatdar sends a message to the village that he is coming on a certain date and that notice should be given to the village three days before to assemble. The Mamlatdar arrives there and nobody has assembled. The village officers send the village servants running round and they drag in as many people as possible and when a sufficient number of casual passers-by are assembled 5 names are put up and everybody is asked if he has any suggestions to make and the village panchayat is elected. I don't say this is always the case, but I say it is the normal procedure in the smaller villages. Under that procedure you can elect as many spokesmen as you like, but I don't say they bear any relation to the wishes of the people.

102. You don't think the panchayat on that system is representative of the village ?—It is representative.

103. I understand you to say that the policy is to encourage panchayats ?—Not on that basis. When I say " encourage," we are hoping to get them to start taking a working interest in the village.

104. *The Hon'ble Mary Pickford :* Has there been any demand from the women for separate polling entrances to the polling station ?—The women don't vote. In the Deccan the women are not in purdah.

105. There are purdah women ?—Very few among the Muhammadans.

106. Apart from purdah, do you think the number of women voters would be larger if they had separate polling entrances ?—There are a very small number. I have seen them at municipal elections.

107. *Sir Sunder Singh Majithia :* In the case of an illiterate voter I presume the polling officer has got to mark the vote for him ?—Sometimes he has to help the voters.

108. Does he do it invariably in the presence of the candidate ?—I cannot say they are not supposed to do it.

* * * * * * *

109. *Rao Bahadur Angadi :* Do you think if a village is small all the unenfranchised primary voters would come together and elect a number of secondary voters ; if the village is large it may be broken up into sections and each section may have its own elections. Do you think that would be easier than each making a separate group of 20 and letting each group elect one man ?—I don't think it

possible to employ the group system. I don't think you could apply any system, except that of the village panchayats, to the villages at all.

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110. *Sardar Mutalik:* What proportion of the village population does at present take part in the panchayat elections ?—In a well conducted election there would be roughly 10 per cent. of the population present.

111. *Dr. Solanki:* In your memorandum* you have ruled out the group system as being impracticable, according to your idea, for general purposes, but for the depressed classes you have mentioned that it may be applicable. Do I understand that if the group system is to be applied only to the depressed classes, it could be satisfactorily done ?—(*Mr. Knight*): In villages, I think, it could be.

112. Of course you have your fears that perhaps other staff will have to be employed for that and more money will have to be granted. But, taking into consideration the disabilities of the depressed classes and their inability to fulfil the qualifications now required, the group system is the only method by which they can be enfranchised. What is your reply to that ? Is not that the only system by which a large number of the depressed classes can be brought on the rolls ?—(*Mr. Gordon*): I can't say whether that is the only system.

113. The other alternative would be adult suffrage straightaway for the depressed classes ?—Why not the present qualification ? What is the objection to the present qualification ?

114. You know, Mr. Gordon, that the condition of the depressed classes in the rural areas is very miserable. They have no qualification ?—I am talking about the system of voting.

115. They have no qualification, no literary qualification or any other qualification ?—What about the holding of land ?

116. You know, Mr. Gordon, that most of them are wage-earners ?—I disagree with you entirely. Most of them hold land. Practically all the Mahars hold land.

117. Will you give me an idea of the number of Mahars in your division who hold land ?—One Mahar pays Rs. 500 assessment and Rs. 200 as income-tax.

118. And the other Mahar who gives the least ?—I can't say, I am afraid.

119. The instance that you gave is exceptional. What about the other Mahars ? —If land revenue is made the basis of the franchise, that is to say, Rs. 8 is the basis as in the case of the other people, in the district there would be several thousands of depressed class voters.

120. But according to the population that would be insignificant ?—If you are given separate representation it does not matter.

121. The value of enfranchising an individual is more than sending a candidate to the Assembly or the Council. It is only for that purpose that we have assembled here to-day to discuss how far we can help to enfranchise these people and by what ways ?—Their numbers would be increased sufficiently. Compared with other castes their numbers would be small.

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122. *Dr. Ambedkar:* You said in answer to Dr. Solanki that under the proposed land revenue qualification many Mahars would come in. I do not want to say whether your experience is greater or my experience is greater. Is it not a fact that the majority of the Mahars hold service inam lands ?—Certainly.

* *Vide* Vol. II of the Report.

123. And there is no tax on that. They do not pay any revenue except a small *judi* ?—Yes.

124. So under any property qualification the Mahars would be omitted ?—In the case of the inam lands you take the assessment and not the *judi* into consideration.

125. Even then it would keep them out of the franchise qualification. We should like to have a report on that.

126. *Lord Dufferin :* You say that the indirect system of election has been proposed by people who have no idea of village life and that it is altogether impracticable. In view of the fact that a great majority of the Collectors have declared the system to be practicable and desirable, would you change that opinion ?—No.

127. You think that the other Collectors do not know the village conditions ?—With regard to that proposal and on certain points, I do not withdraw my opinion.

128. *Khan Bahadur Allahbaksh :* How many villages, on an average, are comprised in a single polling booth ?—I can't give the figure.

129. Roughly speaking ?—20.

130. Mr. Knight in answer to Major Milner said that all the voters are identified. Do I understand that the Talatis of these 20 villages comprising a single polling booth are present to identify these voters ?—Where you have the Talati system, one Talati will be for 5 or more villages.

131. Again in answer to Khan Bahadur Aziz-ul-Huque you said that the number of voters recorded by one polling officer was 130. If that is so, do you think that that is sufficient work for the whole day ?—That was the actual number and not the prospective number.

132. That shows that the work at present done by the polling officers is not sufficient for the whole day. So, if the franchise is widened by any method, say by lowering the property qualification or by introducing the group system, even if it is doubled or trebled, I can't see that the polling officers will not be able to cope with the work ?—I agree that in rural areas doubling the number of voters will not mean doubling the number of polling officers.

133. Supposing the number of voters is doubled, can't the same polling officers record double the number of voters ?—At present the people don't vote.

134. If they did turn up at the polling booths, will it not be possible for the same polling officers to record 260 or even 390 votes instead of 130 ?—I said 500.

135. So, why do you put forth this plea of additional staff and administrative difficulty ?—As far as I remember, I have said that without difficulty we can poll three times the present number.

136. Three times the present number can be recorded by one polling officer ?—Without administrative difficulty.

The Chairman : What is your point ?

Khan Bahadur Allahbaksh : My point is this, that if the electorate is trebled then too with the same administrative machinery as we have got at present it can be managed.

The Chairman : We have got to make up our minds as to the best method first.

I was trying to ascertain whether an increased number of polling officers would be required if the electorate is increased.

137. *The Chairman :* The number of polling officers has to be increased ?—(*Mr. Gordon*) : Yes.

APPENDIX.

Procedure at an Election to the Bombay Legislative Council.

1. *Preliminaries of Polling.*—The procedure to be followed at an election in a Muhammadan or Non-Muhammadan constituency of the Bombay Legislative Council is laid down in Part IV of the Bombay Electoral Regulations (*vide* accompaniment to Appendix A). As soon as the names of validly nominated candidates are published, if the number of candidates exceeds that of the vacancies to be filled, the Collector takes necessary steps for the holding of a poll on the date appointed by the Local Government. Such steps include the selection of polling stations, the appointment of presiding and polling officers, the printing of ballot papers and distribution of the same to all polling stations in the constituency, the supply of election requisites, etc. In most constituencies the Collector is the Returning Officer and he is in general charge of the conduct of the election whether he is the Returning Officer of the constituency or not.

2. *Polling Stations.*—The polling stations are appointed with due regard to the provision in rule 15 (3) of the Bombay Electoral Rules which provides *inter alia* that the constituencies shall be divided into polling areas " in such manner as to give all electors such reasonable facilities for voting as are practicable in the circumstances." The number of polling stations was considerably increased at the general elections held in 1930. A copy of the circular issued to the Collectors in this behalf is appended (*vide* Appendix B). It will be seen from the accompanying statement (*vide* Appendix C) that, in fixing the polling stations, no uniform rule is followed in the various constituencies. Geographical considerations, rather than the numerical strength of the electors, seem to be the determining factors. Generally speaking, in fixing the number and location of the polling stations, the distance which the voters would have to travel, the density of the population, the facilities and means of communication within the constituency and the interest taken by the electors in a given area are taken into account. At the elections held in 1930, for instance, the Poona District Non-Muhammadan Rural Constituency with 13,477 electors and an area of 5,336 square miles had 68 polling stations, whereas the West Khandesh District Non-Muhammadan Rural Constituency with an area of 6,401 square miles and an electorate of 21,225 had 46. In the former, there was on an average one polling officer for 80 to 140 electors, in the latter two polling officers were allotted for about 150 electors. The Western Sind Non-Muhammadan Rural Constituency with an area of 25,155 square miles and an electorate of 24,109 had 173 polling stations. No uniform basis was followed ; in Karachi district, which forms part of the constituency, 1 polling officer was appointed for every 80 electors, whereas in the Larkana district which is also included in the constituency, there was 1 polling officer for every 300 electors. The same remark applies to the Northern Division Muhammadan constituency which with an area of 13,711 square miles and an electorate of 26,712 had over 150 polling stations. Bombay City non-Muhammadan urban constituencies with an area of 24 square miles and an electorate of 104,572 had 72 polling officers and only 1 polling station (due to picketting of the elections), whereas Poona City with an area of 21 square miles and an electorate of 28,547 had 22 polling stations. Ahmedabad City with an area of 11·35 square miles and an electorate of 55,872 had 27 polling stations. Mamlatdar's Kacheri or other revenue offices, municipal or local board offices, schools and college buildings, public halls, if any, are usually selected as polling stations. Where these are not available, special temporary mandaps or pandals are constructed. Each polling station is furnished with compartments in which voters can record their votes screened from observation and each such compartment contains a small table, and an indelible pencil with which the voters record their votes on the ballot paper.

3. *Presiding and Polling Officers.*—A presiding officer is appointed by the Collector for each polling station. He is usually a responsible Government Officer.

He is in general charge of the election at the polling station, and among other things keeps order at the polling station, sees that the election is fairly conducted, regulates the number of voters to be admitted at one time, opens and closes the polling station at the appointed hours, assists such voters as, being unable to vote in the prescribed manner, by reason of infirmity or illiteracy, require his assistance, decides all claims to vote including questions regarding "tendered votes" and "challenged votes" and, at the close of the poll, makes up and seals all packets of papers and ballot boxes and forwards them to the Returning Officer.

Polling officers are appointed by the Collector for each polling station to assist the presiding officer. There is no uniform basis on which polling officers are appointed. The density of population of the area served by the polling station, the interest taken by the electors, and similar other considerations are taken into account. In an urban area like Ahmedabad City as many as 6 to 7 polling officers were appointed for one polling station at the elections held in 1930; in the rural areas, one polling officer suffices for a polling station (*vide* Appendix C). In many cases clerks in Government, municipal and local board offices, schoolmasters and persons of such grades are usually appointed polling officers. A polling officer's principal duty is to issue ballot papers to intending voters asking for the same. Any person desiring to vote approaches the polling officer who has custody of the electoral roll or part thereof containing the voter's name and of the ballot papers up to a certain number. Before delivering the ballot paper to the voter, the polling officer calls out the number, name and description of the elector as stated in the electoral roll, enters the number of the elector in the counterfoil of the ballot paper and places a mark in the copy of the electoral roll against the name of the elector to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received. On the counterfoil are entered the name of the constituency and the name or distinctive number of the polling station and the signature or thumb impression of the elector. The ballot paper is then delivered to the elector who proceeds to vote in the manner explained in paragraph 5.

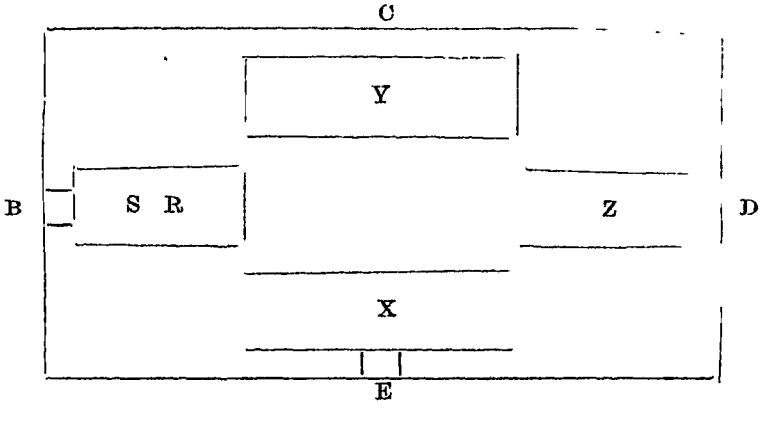
A copy of the instructions issued to presiding and polling officers is appended (*vide* Appendices A and G).

4. *Ballot papers and method of voting.*—The ballot paper and the method of voting are the most attractive features of the whole arrangement and call for some remarks as they have been specially devised to suit the needs of an illiterate electorate. A specimen of the ballot paper actually used at the elections of 1930 is appended for ready reference (*vide* Appendix D). On the counterfoil of the ballot paper the particulars mentioned in paragraph 3 above are mentioned. On the outerfoil, in column 1, the name of the candidate and the picture of the symbol allotted to him are printed. The names are printed in English for the University and European constituencies, in English as well as in the vernaculars for Bombay City and in the vernaculars for other constituencies. An illiterate voter recognises the candidate of his choice rather by the picture printed against the candidate's name on the ballot paper than by the letters making up the same which the voter is unable to read. In column 2 of the outerfoil, the voter records his vote by marking a cross × against the name of the candidate for whom he wishes to vote. He has as many votes as there are vacancies to be filled and he may accumulate them upon one candidate if he so pleases. A foot-note at the bottom draws attention to the instructions for the guidance of voters printed on the reverse of the ballot paper. The ballot papers are serially numbered, the serial number being printed on the back of the counterfoil and of the outerfoil. The ballot papers, which number about a million, are printed at Government Presses. The method of voting is the "cross and symbol" system. As soon as the names of validly nominated candidates are known, the Collector allots a symbol to each of the candidates. The symbols are selected from familiar objects such as elephant, horse, tiger, sword, cart, umbrella, fish, bird, scales, jug, man, etc. On the scrutiny of nominations the name of each such candidate and the symbol allotted to him are telegraphed by the

Collector to the Government Press concerned which prints the name and the picture of the symbol on the ballot paper accordingly. The ballot papers are printed in blocks of fifty with continuous serial numbers and, when supplied to the Collector, are distributed by him to the various polling stations. Before issuing a ballot paper to a voter the polling officer stamps it with a seal on the reverse on the join of the foil and counterfoil to facilitate the detection of any forged ballot papers which may have been put into the ballot box. Copies of the electoral roll, ballot boxes, pencils, padlocks, screens, sealing-wax, furniture, tape, etc. are also supplied by the Collector to all the polling stations before the polling day and the preliminaries for voting are complete.

5. *Voting.*—(In Non-Muhammadan and Muhammadan constituencies). The polling day witnesses a scene of considerable liveliness throughout the constituency. The candidates' agents are active; the candidates' manifestoes bearing the picture of their symbol are distributed broadcast in the constituency and the agents busy themselves in impressing upon the electors the picture of the symbol for which they are to vote. The hours of polling are usually 8 a.m. to 12 noon and 1 p.m. to 6 p.m. In an urban constituency voters have not to travel a long distance and often walk to the polling booth or pay for their own conveyance. In a rural constituency in spite of the large number of polling stations voters have often got to travel as much as 10 or 12 miles from their place of residence as the constituency is very large. Conveyances are, therefore, usually provided by the candidates. On the polling day one finds several cartloads or lorry loads of voters arriving at a polling booth from long distances. The police maintain order at the polling station. The number of voters to be admitted at one time is regulated by the presiding officer and no other person except the polling officers, the candidates, one election agent of each candidate, the police or other public servants on duty and such other persons as the presiding officer from time to time admits for the purpose of identifying the voters are admitted to the polling booth. Every ballot box is so constructed that ballot papers can be introduced therein but cannot be withdrawn therefrom without the box being unlocked. Immediately before the commencement of the poll the presiding officer shows the ballot box empty to such persons as are present in the polling station and then locks it up and places his seal upon it in such manner as to prevent its being opened without breaking such seal and then places it in his view for the receipt of ballot papers and keeps it so locked and sealed. Before a polling station is open for the recording of votes, the presiding officer explains to such persons as may be present the provisions of law requiring officers and persons employed in connection with the election to maintain the secrecy of the voting.

The following arrangements are usually found at a polling booth. On going to a polling station an elector finds the following arrangements:—



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In the compound B C D E he finds tents pitched for the several candidates. As soon as he enters the compound, he is asked by candidates or their agents (who generally know him) for whom he wishes to vote and is taken by the candidate (or agent) into the tent of the candidate for whom he wishes to vote. His name is then checked with the copy of the electoral roll with the candidate; he is told, if necessary, how he is to vote and against which symbol and name he is to affix the cross and how many. The ballot paper, if available, is shown to him and the whole procedure is explained there. He is then taken by the candidate or his agent into the polling booth. The candidate and his agents usually give all necessary instructions to the voter; and however illiterate, the voter is made to remember, if one may quote a concrete case "पै म्हणजे वाघ" (*i.e.* "Mr. Pay= tiger"), and told to put his cross in the blank space on the ballot paper against which he sees the picture of a (वाघ) or tiger. The voter enters the polling booth at the entrance X. Y and Z are places occupied by the polling officer. S. R. is the room furnished with partitions where voters actually record their votes. In the polling station (Rooms Y and Z) he finds the presiding officer, the polling officers and assistant polling officers, the candidates and their agents and other persons allowed by the presiding officer.

No other persons are allowed. As the voter enters the polling station he is usually introduced by the candidate's agent outside to the candidate or his authorised agent inside, who again explains the whole procedure to him and directs him to the polling officer at place Y or Z according as the portion of the electoral roll containing the voter's name is with one or the other polling officer. The polling officer, after such enquiry as he considers necessary, ticks off his name and number on the electoral roll, enters his number on the roll in the counterfoil of the ballot paper and takes his signature or thumb-impression on the counterfoil. The name of the constituency and the name or number of the polling station are entered in the counterfoil and the voting paper is then delivered to the voter. Having received the voting paper he enters the room S. R. where there are several voting compartments for the purpose of recording votes, each screened from observation from another, by means of a partition. Inside the compartments there is a small table on which is kept an indelible pencil. He puts the cross or crosses against the picture he has selected in the voting paper carried by him, folds the voting paper and puts it himself into the ballot box kept beside the presiding officer. He then leaves the polling station, or the room S. R. from the exit at B.

If the presiding or polling officer has reason to doubt the identity of an elector or his right to vote at the polling station, he puts to him the questions mentioned in Appendix E before delivering a ballot paper to him and the elector is not supplied with a ballot paper unless his answers are satisfactory. Provision is also made for voting by persons representing themselves to be particular electors named on the electoral roll after other persons who have voted as such electors. Ballot papers so delivered are called "tendered ballot papers." A form of list of such ballot papers is appended to Appendix A. If any polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation, the presiding officer may require such person to enter in the list of challenged votes (which is maintained in the form appended to Appendix A) his name and address, or, if he is unable to write, to affix his thumb impression thereto, and may further require such person to produce evidence of identification. Such person is allowed to vote if the presiding officer is satisfied as to his identity. Special provision is made for voting by presiding officers, polling officers and polling agents who are on duty at polling stations at which they are not entitled to vote.

At the close of the poll, the presiding officer of each polling station, in the presence of any candidates or polling agents who may be present, makes up into separate parcels and seal with his own seal and the seal of such candidates or agents as may desire to affix their seal, all the ballot boxes in use at the polling station but

with the key attached, and the unused, spoilt and tendered ballot papers, the marked copy of the electoral roll, the counterfoils of ballot papers and the lists of tendered and challenged votes and forwards them to the Returning Officer for the constituency. The packets are accompanied by a statement made by the presiding officer showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, etc. The ballot boxes are opened and votes are counted by or under the supervision of the Returning Officer in the presence of candidates and their agents on a date and at a place appointed by the local Government. The candidates who have secured the largest number of votes are declared elected and the result of the election is published in the local official Gazette.

6. *Voting* (in European, Landholders and University Constituencies).—The procedure at an election in a European, Landholders or University constituency, is more or less similar. The ballot paper is in the form of Appendix F and is distinguishable from that used at an election in a non-Muhammadan or Muhammadan constituency by the fact that it contains no symbols, the electorate in the constituency being more intelligent.

The election in a Commerce and Industry constituency is conducted by the Returning Officer of the constituency who is the secretary of the association forming the constituency. All necessary arrangements are made by him. There is only one polling station which is usually the headquarters office of the association. The procedure is similar to that followed in the European, Landholders, or University constituency.

APPENDIX A.

Note for presiding officers.

As soon as a Presiding Officer is appointed he should read the Bombay Electoral Rules and Regulations, paying of course special attention to Part IV or Part V, as the case may be, of the Regulations. He should visit the polling station and see if any little difficulties exist; and, if so, get them put right. He will remember that there must be a separate compartment for use as a ballot room for each election. In case there are only a very few Muhammadans in small places it may be sufficient to screen off a part of the main ballot room for use as a Muhammadan constituency ballot room. It is not necessary to go to much expense and inconvenience to provide for half a dozen voters. The Presiding Officer should make himself acquainted with the various polling officers and other persons who will be associated with him on the polling day. He should get a copy of the electoral rolls for his station and read them over once or twice, so that he thoroughly understands from what villages, or parts of the municipal town, people will come to vote. He should also note the instructions given in Legal Department Circular No. 820, dated the 12th March 1926.

2. The next thing is for the Presiding Officer to make sure that he has got all the *material* that he requires:—the proper number of ballot papers, electoral rolls, and boxes, printed forms of tendered votes list and list of challenged votes and questions to be answered by persons who do not appear to be what they profess to be, arrangements for locking and sealing boxes, envelopes in which he can send the various papers referred to in Regulation 19, Part IV, seals for stamping the ballot papers and ink pads. He should make quite sure that all these things have been provided and are in order, *e.g.*, that the boxes are in good condition and can be properly locked, and will be at hand on polling day.

3. It would be as well to collect various Polling Officers at the polling station some days before the elections, and settle with them the exact method of procedure. It is most important that there should be no muddling and that all the officials engaged in the operations should know exactly what to do. It is very necessary to

ensure punctuality and orderliness. The polling should be started exactly at the time notified; and the polls should be closed promptly also. To ensure that the polling work is commenced and stopped at the proper time, Presiding Officers should correct their watches from the time of sunrise given in the almanac, care being taken that there is no confusion between solar and standard time. There will be a difference of a few minutes in noting the time, but that may be overlooked.

Presiding Officers should draw the attention of candidates or their representatives to the time of the watch or clock by which the closing hour is fixed and check it at sunset to avoid disputes.

It should be remembered, however, that any elector who has received his ballot paper before the closing hour is entitled to vote as a matter of practical business; of course the entrance door will be shut at 6 p.m. and all voters then inside will be disposed of. The great trouble is the difficulty of getting people to the polling station early in the day. If they all come late in the afternoon there will not be time to finish the work, and a large number will have to be left out. Collectors will be asked to circularise all village officers asking them to inform intending voters of the absolute necessity of going early to the polls if they intend to go at all. When the people arrive care must be taken that they are admitted into the polling station in such numbers as can be dealt with properly, the policemen on duty regulating admission and not letting them crowd in. The Presiding Officer should not forget to carry out the provisions of Regulation 7, Part IV. He should also be very careful to prevent voting papers being given by anybody except the particular polling officers who are detailed for this work. Polling officers should also be instructed to stamp the ballot paper with the prescribed seal before delivering it to a voter and the necessity of applying such seal at random on the join of the foil and counterfoil should be impressed upon them.

4. Keys of the boxes when locked must be kept by the Presiding Officer in his possession during the continuance of the polling. The Regulations provide for the use of more than one ballot box, but one only should be in use at any time. The box in use is to be kept in view of the Presiding Officer (*vide* Regulation 7, Part IV) and this officer will see that it is replaced by another box before it becomes so full as to allow of the possibility of voters withdrawing ballot papers already inserted. The box so withdrawn should at once be sealed and labelled with the name of the constituency and the polling station.

5. It is probable that it will be necessary to explain to voters the precise method of procedure, and for this purpose it may be convenient to detail one of the polling officers appointed to assist the Presiding Officer. The officer so detailed should explain to each voter or group of voters, after they have received their ballot papers, the method of procedure as prescribed by Regulation 10, Part IV; in constituencies returning more than one member the voter should be informed of the total number of crosses he may place on the ballot paper and that these crosses may be given all for one candidate or distributed amongst the candidates. Care should be taken that voters do not leave the room without depositing their ballot paper in the box.

6. It will be necessary to guard against the possibility of any voter receiving more than one ballot paper and for this purpose it is essential that one and the same copy of the electoral roll pertaining to the particular polling station is marked for every man who is given a ballot paper. Where the number of voters at any polling station is so large as to necessitate the employment of more than one polling officer on the work of giving out ballot papers care must be taken that a voter, after being marked on the electoral roll, does not get a ballot paper from more than one of the polling officers; this will be a matter of local arrangement and could be done, for example, by arranging that after being marked on the roll the voter passes one, but not more than one, of the polling officers who are giving out ballot papers; the voter will then pass on to the compartments provided for marking his ballot

paper and finally to the ballot box and thence to the exit. When the people come into the polling booth they can either be identified on the roll by the polling officer who gives the ballot paper, or they can be identified on the roll first and then marched off to the polling officer who gives them the ballot paper. Where the numbers are not large it would probably be most convenient to take the voters straight to the polling officer; but if there is a large number of voters it might reduce confusion and promote orderliness if the voters' numbers on the electoral roll were first discovered and they were then sent on to the polling officer.

7. Attention is invited to Regulations 17 and 18 of Part IV. All persons employed should of course know the name of the polling station where, but for their employment in polling work, they would have been entitled to vote. A Presiding or Polling Officer appointed for election work at a polling station, if eligible to vote in the constituency should procure a certificate of his being an elector from the officer in charge of the area where his name is entered; he can then vote at the polling station where he is working, as provided for in Regulation 17, Part IV. A somewhat similar provision has been made in Regulations 2 and 3 of Part V in regard to voters in the Bombay University constituency who, owing to transfer or other cause, are unable to vote at the polling station at which they are entitled to vote. Such persons should obtain a certificate from the Collector that they are entitled to vote at the election for the constituency and are residing at the time in the district in which the polling station at which they wish to vote is situate. They can then vote at such polling station as provided in Regulation 2 of Part V. Ballot papers so delivered by such persons shall be dealt with as provided in Regulation 3 of Part V and the Returning Officer shall, on receipt thereof, include them among the other valid ballot papers for the constituency as if they were ballot papers duly used at the proper polling station.

8. The ballot is secret voting. With a large number of illiterates absolute secrecy is impossible and the Presiding Officer is required by Regulation 11, Part IV, to give to such voters any assistance which they may require, *e.g.*, in the marking of their ballot papers, but the attention of all polling officers should be invited to the provisions of section 14 of the Indian Election Offences and Inquiries Act, 1920, which renders it an offence punishable with imprisonment and fine to communicate to any person any information calculated to violate the secrecy of the ballot.

9. Attention is drawn to Regulations 19 and 20 of Part IV; the ballot papers will probably be provided in the form of booklets of 50 papers each, and since the Presiding Officer is required at the end of the polling to make up into separate parcels the unused ballot papers (with their counterfoils) and the counterfoils of the used ballot papers it will be necessary for him to split up any partially used ballot paper books, *i.e.*, those from which some ballot papers have been issued but not all. The return required by Regulation 20 should be in the form appended to this note. Ballot boxes should be sealed both over the lock and over the slit on the top in such a way as to render it impossible either to introduce or abstract papers into or from the box.

10. At rural polling stations it will be remembered that there are different ballot rooms for Muhammadans and non-Muhammadans. There may or may not be different polling officers to give the voters their ballot papers. This will depend upon the numbers. For example if there are only say a dozen Muhammadan electors, which will be quite a common thing, it will not be necessary to have a separate officer to give the ballot papers; one person can deal with both constituencies, keeping the electoral rolls for both beside him.

11. For the rest it is believed that the provisions of Part IV of the Regulations are sufficiently explicit and in order that Presiding Officers may make themselves thoroughly familiar with the procedure, Parts IV and V of the Regulations are printed as accompaniments to this note. The Collector should issue such further detailed instructions as may be necessary, *e.g.*, in the matter of the sealing and despatch of boxes and returns.

Accompaniments.

PART IV.

VOTING IN MUHAMMADAN AND NON-MUHAMMADAN CONSTITUENCIES.

1. *Polling.*—The local Government shall appoint the hour at which the poll shall commence and the hour at which it shall close on the date appointed for the poll under clause (*c*) of sub-rule (*2*) of rule 11. The hours so fixed shall be published by notification in the Gazette and in such other manner as the local Government may direct.

2. *Polling stations: presiding officers.*—(*1*) The Collector shall select for each constituency, wholly or partly included in his jurisdiction, as many polling stations as he thinks necessary, and he and the Returning Officer shall publish in the manner prescribed by regulation 3, Part II, lists showing the polling stations so selected and the polling areas for which they have respectively been selected.

(*2*) The Collector shall appoint a presiding officer for each polling station and such other persons (hereinafter referred to as polling officers) to assist the presiding officer as he thinks necessary.

(*3*) The same polling stations and presiding officers may be appointed in respect of elections held simultaneously.

3. *Maintenance of order.*—(*1*) The presiding officer shall keep order at the polling station, shall see that the election is fairly conducted, shall regulate the number of electors to be admitted at one time, and shall exclude all other persons except—

(*a*) the polling officers, the candidates, and one agent of each candidate (hereinafter referred to as the polling agent) appointed in writing by the candidate, and authorised in this behalf by the Returning Officer.

(*b*) The police or other public servants on duty, and

(*c*) such other persons as the presiding officer may from time to time admit for the purpose of identifying electors.

(*2*) The presiding officer shall close the polling station at the hour appointed in that behalf by the local Government under regulation 1 of this Part, so as to prevent the admission thereto of any voter after that hour.

4. *Issue of ballot paper.*—No ballot paper shall be issued after the closing hour appointed under regulation 1 of this Part, but any voter who has received his ballot paper before that hour shall be allowed a reasonable opportunity to record his vote.

5. *Voting compartments.*—Each polling station shall be furnished with such number of compartments, in which voters can record their votes screened from observation, as the Collector thinks necessary.

6. *Supply of election materials and ballot boxes.*—The Collector shall provide at each polling station materials sufficient for the purpose of enabling voters to mark the ballot papers, as many ballot boxes as may be necessary, and copies of the electoral roll or of such part thereof as contains the names of the electors entitled to vote at such station.

7. *Sealing of ballot box.*—Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, immediately before the commencement of the poll, shall show the ballot box empty to such person as may be present in such station, so that they may see that it is empty, and shall

then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers and keep it so locked and sealed.

8. *Procedure before polling begins.*—Before the polling station is open for the recording of votes, the presiding officer shall read to such persons as may be present the provisions of section 14 of the Indian Election Offences and Inquiries Act, 1920, and shall explain the substance thereof in the vernacular of the district.

9. *Procedure before ballot paper is delivered to electors.*—Immediately before a ballot paper is delivered to an elector, the number, name and description of the elector as stated in the electoral roll shall be called out, and the number of the elector shall be entered on the counterfoil, and a mark shall be placed in a copy of the electoral roll against the number of the elector to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received. On the counterfoil shall be entered the name of the constituency and the name of distinctive number of the polling station and the signature or thumb impression of the elector.

10. *Voting.*—The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall put his ballot paper, so folded up, into the ballot box. Every elector shall vote without undue delay and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

11. *Assistance to electors.*—The presiding officer shall give such assistance as may be required to any elector who is by reason of infirmity or illiteracy unable to vote in the manner prescribed.

12. *Identity of electors.*—At any time before a ballot paper is delivered to an elector, the presiding officer or polling officer may, of his own accord, if he has reason to doubt the identity of the elector or his right to vote at such station, and shall, if so required by a candidate or polling agent, put to the elector the following questions :—

(*1*) Are you the person enrolled as follows (reading his whole entry from the roll)? and

(*2*) Have you already voted at the present election in this constituency ? and at a general election

(*3*) Have you already voted at this general election for the Legislative Council in any other general constituency ?

and the elector shall not be supplied with a ballot paper if he refuses to answer one of the questions and unless he answers the first question in the affirmative, the second question in the negative, and, at a general election, the third question also in the negative.

13. *Form of ballot paper.*—The ballot paper shall be in Form I annexed to these regulations. The ballot papers shall be serially numbered, the serial number being printed on the counterfoil and on the back of the ballot paper.

14. *Tendered votes.*—If the person representing himself to be a particular elector named on the electoral roll applies for a ballot paper after another person has voted as such elector, the applicant shall, after duly answering such questions as the presiding officer may ask, be entitled to mark a ballot paper in the same manner as any other voter. Such ballot paper (hereinafter referred to as a tendered ballot paper) shall, instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his number on the electoral roll and the name of the electoral area to which the roll relates and shall be set

aside in a separate packet and shall not be counted by the Returning Officer. The name of the voter and his number in the electoral roll and the name or distinctive number of the polling station to which the roll relates shall be entered in a list in Form II annexed to these regulations, which shall bear the heading "Tendered votes list." The person tendering such ballot paper shall sign his name and address thereon or affix his thumb impression against the entry in that list.

15. *Challenged votes.*—If any polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation, the presiding officer may require such person to enter in the list of challenged votes (which shall be in Form III annexed to these regulations) his name and address or, if he is unable to write, to affix his thumb impression thereto and may further require such person to produce evidence of identification. If such person on being questioned in the manner provided in regulation 12 of this Part answers the first question in the affirmative and the other questions in the negative, he shall be allowed to vote after he has been informed of the penalty for personation. The presiding officer shall make a note of the circumstances, and of his decision on the list of challenged votes.

16. *Spoilt ballot papers.*—A voter who has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as a ballot paper may, on delivering it to the presiding officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoilt paper, and the latter shall, together with its counterfoil, be marked as cancelled.

17. *Voting by officers on duty at polling stations.*—A presiding officer, polling officer or polling agent who is on duty at a polling station at which he is not entitled to vote shall, if he is certified by the Collector to be entitled to vote at the election for the constituency in connection with which he is employed, or for any other constituency, be allowed to record his vote at that polling station. The name of the polling station at which he would otherwise have been entitled to vote shall be entered in the counterfoil of the ballot paper together with his number in the electoral roll for the constituency in which that polling station is situated.

18. *Such ballot papers to be separately sealed and sent to Returning Officer.*—Such ballot paper shall be placed in an envelope and sealed by the presiding officer, and returned with the certificate referred to in regulation 17 of this Part to the Collector who has granted the same, and such Collector shall cause such ballot paper to be delivered to the Returning Officer for inclusion among the valid ballot papers.

19. *Closing of poll: Despatch of ballot papers.*—The presiding officer of each polling station, as soon as practicable after the close of the poll, shall, in the presence of any candidates or polling agents who may be present, make up into separate parcels and seal with his own seal and the seal of such candidates or agents as may desire to affix their seal:—

(*1*) each ballot box in use at each station unopened but with the key attached;

(*2*) the unused ballot papers;

(*3*) the tendered ballot papers;

(*4*) the spoilt ballot papers;

(*5*) the marked copy of the electoral roll;

(*6*) the counterfoils of the ballot papers;

(*7*) the tendered votes list; and

(*8*) the list of challenged votes;

and shall after endorsing on each packet a description of its contents deliver such packets to the Returning Officer, or to the Collector for submission to the Returning Officer where the Collector is not the Returning Officer.

20. *Statement to be sent to Returning Officer with ballot papers.*—The packets shall be accompanied by a statement made by the presiding officer, showing the number of the ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers, and ballot papers dealt with under Regulation 18 of this part, and Regulation 3 of Part V.

PART V.

VOTING IN EUROPEAN, LANDHOLDERS AND UNIVERSITY CONSTITUENCIES.

1. *European, Landholders and University Constituencies.*—In European and Landholders' constituencies and in the Bombay University constituency—

(*a*) the Collector shall supply the Presiding Officer with one ballot box;

(*b*) the ballot box shall be kept beside the Presiding Officer; the elector shall mark his ballot paper in the voting partition and shall then place his ballot paper in the ballot box in the presence of the Presiding Officer; more than one elector may be admitted into the voting partition at a time;

(c) the voting paper shall be in Form I-A appended to these regulations; the names of the candidates shall be printed thereon in the published order; the number of the ballot paper shall be printed on the counterfoil and on the back of the ballot paper;

(*d*) the elector shall record his vote by making a cross against the name of the candidate for whom he desires to vote, and shall then place the ballot paper in the ballot box;

(*e*) an elector voting on a tendered ballot paper shall record his vote in the manner above described and shall deliver the ballot paper to the Presiding Officer.

2. *Voting in the University constituency by persons not enrolled for the polling station.*—In the case of the University constituency a person who wishes to vote at a polling station other than the polling station at which he is entitled to vote shall, if he is certified by the Collector to be entitled to vote at the election for the constituency and to be residing at the time in the district in which the first mentioned polling station is situate, be allowed to vote at that polling station, irrespective of the duration of his residence in such district. The name of the polling station at which he would otherwise have been entitled to vote shall be entered in the counterfoil of the ballot paper together with his number in the electoral roll pertaining to that part of the constituency in which that polling station is situate.

3. *Such ballot papers to be separately sealed and sent to Returning Officer.*—Such ballot paper shall be placed in an envelope and sealed by the Presiding Officer, and forwarded with the certificate referred to in regulation 2 of this Part direct to the Returning Officer for inclusion among the valid ballot papers.

4. Save as herein provided, the provisions of Part IV shall be applicable to elections in the aforesaid constituencies.

7th March, 1932.] Messrs. R. G. GORDON & H. F. KNIGHT. [*Continued.*

FORM I.

FORM OF FRONT OF BALLOT PAPER.

Counterfoil.
Serial No.

Outerfoil.
Front.

Constituency_____

Name or number of polling station_____

Number of elector on electoral roll_____

Signature or thumb impression of elector_____

Name and Symbol of Candidate.	Cross.

NOTE.—It is considered important that the whole of the outerfoil of the Ballot paper should be taken up by the cage containing the names and symbols of candidates and spaces for recording votes.

Back of Outerfoil.

Instructions.

(1) The number of members for whom you may vote is_____

(2) Place a cross mark thus × against the name of the candidate / each of the candidates for whom you wish to vote.

(3) The mark should be placed against not more than_____

Serial No.

FORM I-A.

Form of Front of Ballot Paper.

Counterfoil.
Serial No.

Outerfoil.
Front.

Constituency———————————

Name or number of polling station———————————

Number of elector on electoral roll———————————

Signature or thumb impression of elector———————————

Name of Candidate.	Cross.

Note.—It is considered important that the whole of the outerfoil of the Ballot paper should be taken up by the cage containing the names of candidates and spaces for recording votes.

Back of Outerfoil.

Instructions.

(1) The number of members for whom you may vote is———————————

(2) Place a cross mark thus × against the name of ___the candidate___ for whom you wish to vote.
each of the candidates

(3) The mark should be placed against not more than———————————

Serial No.

BOMBAY LEGISLATIVE COUNCIL.

FORM II.

Tendered Votes List

Polling Station.

Name of Constituency.	Name of Voter.	Number in Electoral Roll.	Number of votes recorded.	Signature or thumb impression of voter.

BOMBAY LEGISLATIVE COUNCIL.

FORM III.

List of Challenged Votes.

Signature Sheet No.

Number on Electoral Roll.	Name.	Signature of voter if literate or thumb impression of voter if illiterate.	Name of identifier, if any.

Order of Presiding Officer (in each case).

Form of statement to accompany returns of Presiding Officers (vide *Regulation Part IV, 20*).

Name of Constituency

Names of Polling Station

Total number of electors for that polling station as shown on electoral roll.	Total number of ballot papers entrusted to Presiding Officer.	Total number of ballot papers used.	Account of used ballot papers.				Number of unused ballot papers.	Number of ballot boxes used.
			Used for Polling and Presiding Officers' own votes or for electors in the University constituency entitled to vote at another polling station (regs. 17 and 18 and reg. 3 of Part V).	Tendered ballot papers (reg. 14).	Spoilt ballot papers (reg. 16).	Balance that should be in ballot box.		
1	2	3	4	5	6	7	8	9

Column 1.—Give total of the names on the electoral roll for your polling station.
" 2.—Give total number of ballot papers received by you from the Collector.
" 3.—Count the counterfoils of the issued ballot papers and enter that number.
" 4.—Total of the counterfoils of ballot papers used by the Presiding or Polling Officers for their own votes or in the case of the Bombay University constituency of ballot papers issued to persons entitled to vote at another polling station.
" 5.—Total of the counterfoils of tendered votes; these counterfoils will be blank; the total in form H must tally with this total.
" 6.—Total of the counterfoils marked cancelled (reg. 16), checked with the total number of spoilt ballotpapers with the Presiding Officer.
" 7.—Deduct from total in column 3 the sum of the totals in columns 4, 5 and 6.
" 8.—Count unused ballot papers and enter this total.

APPENDIX B.

GOVERNMENT OF BOMBAY.

LEGAL DEPARTMENT.

Circular No. Gen. Elec.-1/30.

Council Hall, Poona, 19th June 1930.

Subject.—Location of polling stations for the forthcoming general elections.

Sir,

I am directed by the Governor in Council to invite attention to rule 15 (1) (3) of the Bombay Electoral Rules and the Legislative Assembly Electoral Rules and to state that the rule contemplates that the constituency shall be divided into polling areas and the polling stations shall be located in such manner as to give all electors such reasonable facilities for voting as are practicable in the circumstances. In fixing the polling stations it should be borne in mind that the voters in the villages grouped together for a particular polling station have, other things being considered, to travel the minimum distance from their village for the purpose of voting. It has been reported to Government that in some constituencies voters have to travel 30 to 40 miles for the purpose of recording their vote at the polling station. This distance is excessive and may have the effect of practically disfranchising some voters. It is desirable that the minimum distance possible should be fixed. The revenue sub-divisions need not be followed in grouping together villages for the purpose of polling. It may also be possible to minimise the inconvenience by increasing the number of polling stations, if this is considered necessary, and I am to suggest that the desirability of so increasing the number may be considered on this occasion, particularly in fixing polling stations for elections for the Legislative Assembly. I am to request that the matter may kindly be fully considered with a view to the most convenient location of polling stations when the necessary arrangements are made in connection with the forthcoming general elections for the Bombay Legislative Council and the Legislative Assembly.

2. Enquiries have been received whether the lists of polling stations should be sold to the public, and, if so, at what price. There is no objection to selling such lists to the public on payment of the price fixed, as far as copies may be available for sale. Additional copies may be printed if the demand is great. The price should be so fixed as to cover the cost of printing and no commission need be charged. In no case, however, should the copies be sold at a loss. Applications for the supply of copies should be made to and disposed of by the Collectors who will also fix the price to be charged per copy of the list.

I have the honour to be,
Sir,
Your most obedient servant,

J. R. DHURANDHAR,
Offg. Deputy Secretary to the Government of Bombay, Legal Department.

To

All Collectors and Returning Officers (except the Returning Officers of Commerce and Industry constituencies).

APPENDIX C.

Statement showing the numerical basis on which polling officers were allotted to polling stations, the number of polling stations and the number of voters on the basis of which polling stations are calculated in constituencies of the Bombay Legislative Council at the election held in 1930.

Returning Officer.	Name and class of Constituency.	Area of the Constituency in square miles.	Total No. of electors (elections of 1930).	Basis on which polling officers were allotted.	No. of polling stations in the whole Constituency.	No. of voters on basis of which polling stations were calculated.
1	2	3	4	5	6	7
Collector of West Khandesh	West Khandesh District Non-Muhammadan Rural.	6,401	21,225	2 polling officers for each polling station. About 150 electors to each polling officer.	46	About 450 voters for each station but geographical considerations were more important than the number of voters.
Collector of Poona	1 Poona District Non-Muhammadan Rural.	5,336	13,477	Numerical basis not taken, *e.g.*, the maximum number of voters at the Baramati polling station was 1,104 and the minimum was 10 at Amboli in Khed Taluka. Average one officer allotted to 80-140 electors.	68	The polling stations were based on the basis of distance and not on the number of electors. Average 10 miles distance per polling station.
	2 Poona City Non-Muhammadan Urban.	21	28,547	Numerical basis not taken, *e.g.*, the polling station in Poona Cantonment had only 80 voters while the other in Kasba Peth in Poona City 2,225. 1 polling officer was appointed at the former and 3 polling officers with 1 clerk at the latter. Average 1 officer allotted to 350 electors.	22	Consideration was given to the distance and not to the number of electors. Suitable sites were chosen for polling station. For both rural and urban, the chief point in fixing the polling stations was that no voters should have to travel a considerable distance in going to the poll.
Collector of Karachi	1 Karachi City Non-Muhammadan Urban.	11	17,490	For the two urban Constituencies numerical basis of 1 polling officer for every 700 electors both Non-Muhammadan and Muhammadan.	16	Number of voters at each polling station 1,500.
	2 Karachi City Muhammadan Urban.	11	7,156	Do. do.	16	Do. do.
	3 Karachi District Muhammadan Rural.	11,776	4,590	1 polling officer for 140 electors.	33	Number of voters at each polling station 140.

Collector of Thar Parkar	4 Western Sind Non-Muhammadan Rural (Karachi District only).	11,776	2,637	1 polling officer for every 80 electors.	33	80 electors at each station.	
	5 Sind Landholders (Karachi District).	11,776	..	1 polling officer for 11 electors .	10	Number of electors at each station 11.	
	1 Thar Parkar District Muhammadan Rural.	13,636	4,465	2 polling officers for stations having over 100 electors—1 for Muhammadan and 1 for Non-Muhammadan; otherwise 1.	59 for general constituencies; 1 in each taluka for special constituencies.	1 polling station for 125 electors on an average.	
	2 Eastern Sind Non-Muhammadan Rural (Thar Parkar District).	13,636	2,909	Do. do. .	Do. .	Do. do.	
Collector of Ahmedabad	1 Ahmedabad City Non-Muhammadan Urban.	11·35	55,872	1 polling officer for 300 electors or less, but the number of voters was not the only consideration in fixing the number of polling officers at each station. A station which contained more literate voters was given more polling officers. Insufficient voting due to non-co-operation at the election of 1930 was also taken into consideration while fixing the number of polling officers.	27	1 polling station for about 2,000 electors.	
	2 Ahmedabad District Non-Muhammadan Rural.	3,804·65	24,531	1 polling officer for 200 electors or less.	67	On an average 1 polling station for 366 electors but the other factors such as area of taluka and the distance of villages from polling stations were also taken into consideration.	
	3 Ahmedabad and Surat Cities Muhammadan Urban (Ahmedabad).	11·35	12,715	Same remarks as above.	..		
	4 N. D. Muhammadan Rural (Ahmedabad).	3,804·65	Not available				
Collector of Hyderabad.	Eastern Sind Non-Muhammadan Rural (Hyderabad).	4,432	15,587	1 polling officer to 125 electors (maximum).	48	In rural areas on the basis of distance and in urban areas consideration was given to the number of voters. Number of voters in each varied from 5 to 2,104.	

Statement showing the numerical basis on which polling officers were allotted to polling stations, the number of polling stations and the number of voters on the basis of which polling stations are calculated in constituencies of the Bombay Legislative Council at the election held in 1930—contd.

Returning Officer.	Name and class of Constituency.	Area of the Constituency in square miles.	Total No. of electors (elections of 1930).	Basis on which polling officers were allotted.	No. of polling stations in the whole Constituency.	No. of voters on basis of which polling stations were calculated.
1	2	3	4	5	6	7
Collector of Bombay .	1 Bombay City Non-Muhammadan Urban (South).	24	60,604	72 polling officers for the whole of the Constituency.	1	Ordinarily a large number of polling stations are required but as it was expected that there would be no brisk voting on account of the picketting only 3 polling stations were fixed. This arrangement had however to be cancelled owing to the floods and the elections for all constituencies were held in the Town Hall.
	2 Bombay City Non-Muhammadan Urban (North).		43,968			
	3 Bombay City Muhammadan Urban.	24	23,158	10 polling officers . . .	1	In 1930 the elections were held under unusual circumstances owing to the heavy rain and the consequent floods. In 1926 the elections were held under normal conditions and 1 polling officer was allotted for approximately 900 voters and 1 polling station was assigned for about 11,000 electors. There were 9 polling stations for the Non-Muhammadan constituency comprising 99,560 electors while the Muhammadan constituency comprising 21,842 electors, was divided into 5 polling stations each containing approximately 4,300 electors.

Collector of Larkana	4 Bombay City European	24	6,077	..	..	The election was uncontested.
	Western Sind Non-Muhammadan Rural (Larkana District).	5,053	7,922	1 polling officer for every 300 electors.	60	Polling stations were fixed on the consideration of distance to be travelled by the electors and not on the number of electors.
Deputy Commissioner, Upper Sind Frontier District.	1 Upper Sind Frontier District Muhammadan Rural.	2,680	4,383	1 polling officer for one station. (No. of electors not given).	20	(1) No numerical basis taken into consideration for fixing polling stations. Convenience of electors was the premier consideration.
	2 Western Sind Non-Muhammadan Rural (Upper Sind Frontier District).	2,680	1,772	Do. do.	..	(2) Average 90 voters each polling station.
Collector of Sukkur	1 Sukkur District Muhammadan Rural.	5,646	9,441	1 officer for 325 electors (in all 29 officers).	65 (41 jointly for Muhammadans and Non-Muhammadans. 8 for Muhammadans only; and 19 Non-Muhammadans.)	No information.
	2 Western Sind Non-Muhammadan Rural (Sukkur District).	5,646	11,757	1 polling officer for 300 voters (in all 40 officers).	8 1 2	
	3 Landholders	5,646	136	1 officer for 17 voters	No information.	Polling stations are fixed on the basis of minimum distance to be travelled by the electors.
	4 Europeans	5,646	65	1 officer for 65 electors		
	5 University	5,646	94	1 officer for 47 electors		
Collector of Kaira	Kaira District, Non-Muhammadan Rural.	1,596	30,174	1 polling officer for every 200—300 electors and 1 presiding officer for each polling station.		Polling stations were so fixed as to make it possible for the authorities to give protection to the electors who went to poll as the boycott campaign was going on. On fixing the number of polling stations in the City Urban Non-Muhammadan constituency the fact of the boycott campaign was taken into account. Otherwise, ordinarily there would be 12 stations.
Collector of Surat	1. Surat District Non-Muhammadan Rural.	1,648·25	21,365	The election was uncontested	..	
	2. Surat City Non-Muhammadan Urban.	3·75	7,939	1 polling officer for 100 electors	4	
	3. Ahmedabad and Surat Cities Muhammadan Urban (Surat).	3·75	1,714	Do. do.	1	
	4. N. D. Muhammadan Rural (Surat).	1,648·25	3,259	1 polling officer for 100 electors and one presiding officer for each station. Total number of polling officers 58.	40	

Statement showing the numerical basis on which polling officers were allotted to polling stations, the number of polling stations and the number of voters on the basis of which polling stations are calculated in constituencies of the Bombay Legislative Council at the election held in 1930—concld.

Returning Officer.	Name and class of Constituency.	Area of the Constituency in square miles.	Total No. of electors (elections of 1930).	Basis on which polling officers were allotted.	No. of polling stations in the whole Constituency.	No. of voters on basis of which polling stations were calculated.
1	2	3	4	5	6	7
Collector of Nawabshah	Eastern Sind Non-Muhammadan Rural.	3,897	6,172	2 polling officers for each polling station; 1 for recording Muhammadan votes and 1 to record non-Muhammadan votes. At one polling station the number of electors was as large as 1,100 in one ward and 840 in the other ward.	40	Consideration was given not to the number of electors but to the distance of the polling station for convenience of voters.
Collector of Panch Mahals.	N. D. Muhammadan Rural.	1,606	3,202	1 polling officer for about 200 electors.	38	Polling stations were fixed not on the number of electors only but also on the means and facility of communication.
Commissioner in Sind .	Eastern Sind Non-Muhammadan Rural.	21,965	24,938	No uniform basis. In Thar Parkar District 2 polling officers for stations having over 100 electors 1 for Muhammadan and 1 for Non-Muhammadan; otherwise 1. In Hyderabad District 1 polling officer to 125 electors (maximum). In Nawabshah District 2 polling officers for each polling station; 1 for recording Muhammadan votes and 1 to record Non-Muhammadan votes. At 1 polling station the number of electors was as large as 1,100 in 1 ward and 840 in the other.	147	In rural areas on the basis of distance and in urban areas, consideration was given to the number of electors.

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Do.	Western Sind Non-Muhammadan Rural.	25,155		There was no uniform basis. 1 polling officer for every 80 electors in Karachi District. In Larkana District 1 polling officer for every 300 electors. In Upper Sind Frontier District 1 polling officer for one station. (Number of electors not given). In Sukkur District 1 polling officer for 300 electors, in all 40 officers.	173	Same remarks as above.
Commissioner, Northern Division.	N. D. Muhammadan Rural.	13,711	24,109	There was no uniform basis. In Ahmedabad District 1 polling officer for 200 electors or less. In Kaira District 1 polling officer for every 200—300 electors and 1 presiding officer for each polling station. In Surat District 1 polling officer for every 100 electors and in addition 1 presiding officer for each station. Number of polling officers 58. In Broach District the Collector says he has no record of the number of officers and stations. In Thana District 2 polling officers and 1 presiding officer for 500 electors or less in rural areas. In Municipal areas 1 polling officer and 1 presiding officer for about 250 electors. (The number of stations have not been supplied by the Collector). In Panch Mahals District 1 polling officer for about 200 electors. In Bombay Suburban District there was one polling officer for about 450 electors.	145*	Polling stations are ordinarily fixed after taking into account— (i) the extent of the area served by the polling station. (ii) the number of voters. (iii) means and facilities of communication. The fact that the boycott campaign was raging during the election of 1930 was taken into consideration in fixing the number of polling stations in Ahmedabad and Surat Districts particularly.

* Exclusive of Kaira, Broach and Thana Districts.

APPENDIX D.

Constituency BOMBAY CITY (South)—Non-Muhammadan Urban.

Name or number of polling station.

Number of elector on electoral roll.

Ward.

Part of roll.

Signature or thumb impression of elector.

NAME AND SYMBOL OF CANDIDATE. उमेदवाराचें नांव व चिन्ह. ઉમેદવારનું નામ તથા નિશાણ.	CROSS × फुली × ચોકડી ×
D'SOUZA, JOSEPH ALBAN. डिसोझा, जोसेफ आल्बन ... ... ડીસોઝા, જોસેફ આલ્બન	
RAMCHANDRA MADHAVRAM BHATT ... ... रामचंद्र माधवराम भट्ट ... ... રામચંદ્ર માધવરામ ભટ	
RATANSHA TEMULJI NARIMAN ... ... रतनशा तेमुलजी नरीमान ... રતનશા તેમુલજી નરીમાન	
VASANTRAO ANANDRAO DABHOLKAR ... ... वसंतराव आनंदराव दाभोळकर ... વસંતરાવ આનંદરાવ દાભોળકર ...	

Note.—See instructions printed on the reverse.
टीप.—मागील बाजूवर छापिलेल्या सूचना पहा.
ટીપ.—પાછળ છાપેલી સૂચના જુઓ.

[*Reverse side of the ballot paper.*]

SERIAL No.
अनुक्रम नंबर
અનુક્રમ નંબર

INSTRUCTIONS
सूचना
સૂચના

1. The number of members for whom you may vote is THREE.

१. तुम्हांस तीन मतें आहेत.

૧. તમારે ત્રણ ઉમેદવારોને મત આપવાનો હક છે.

2. Place a cross mark thus × against the name of $\frac{\text{the candidate}}{\text{each of the candidates}}$ for whom you wish to vote.

२. ज्या उमेदवारास (उमेदवारांस) मतें देण्याची तुमची इच्छा असेल त्या उमेदवाराच्या (उमेदवारांच्या) नांवापुढें (नांवांपुढें) अशी × फुली करा.

૨. જે ઉમેદવાર (ઉમેદવારો)ને તમારે મત આપવાની ઇચ્છા હોય તે ઉમેદવાર (ઉમેદવારો)નાં નામ સામે આ પ્રમાણે × ચોકડી કરવી.

3. The mark should be placed against not more than THREE.

३. मतपत्रकावर तुम्ही एकूण तीन फुल्यांपेक्षां ज्यास्त फुल्या करतां कामा नये.

૩. ત્રણ ઉમેદવારોનાં નામ કરતાં વધુ ઉમેદવારોનાં નામ સામે ચોકડી કરવી નહિ.

SERIAL No.
अनुक्रम नंबर
અનુક્રમ નંબર

D 1

APPENDIX F.

Constituency—Bombay University.

Name or number of polling station.

Number of elector on electoral roll.

Signature or thumb impression of elector.

NAME OF CANDIDATE.	CROSS ×
RAVAJI RAMCHANDRA KALE.	
SHIAVAX ARDESHIR PAYMASTER.	
RAMCHANDRA GANESH PRADHAN.	
RUSTAM NANABHAI RANINA.	

NOTE.—See instructions printed on the reverse.

Reverse of the above Form.

SERIAL NO.

SERIAL NO.

INSTRUCTIONS.

(1) The number of members for whom you may vote is ONE.

(2) Place a cross mark thus × against the name of the candidate for whom you wish to vote.

(3) The mark should be placed against not more than ONE.

APPENDIX G.

Government Elections.

Bombay Legislative Council and Indian Legislative Assembly.

Instructions to Election Staff.

Please study this copy, bring to the Polling Station, and return it to the Presiding Officer at the close of the Election Day.

N.B.—Return this to the Presiding Officer at close of Polling.

Detailed Instructions mainly to Presiding Officers.

1. *Polling Station.*—The presiding officer should be at the station forty minutes before the station opens to ensure that every one of his staff is present in time and knows his duty particularly in relation to tendered and challenged votes and that everything is ready, also to read out Section 14, Indian Elections Offences and Inquiries Act, 1920, as required by Regulation 8, Part IV—Appendix A. I.

The presiding officer should draw the attention of candidates or their representatives to the time of the watch or clock by which the closing hour is fixed and check it at sunset to avoid disputes.

It should be remembered, however, that any elector who has received his ballot paper before the closing hour is entitled to vote as a matter of practical business; of course, the entrance door will be closed at 6 p.m. or at the hour appointed for the closing of the poll and all voters then inside will be disposed of.

2. *Copy of Electoral Rules and Roll.*—The presiding officer will be supplied with a copy of the Electoral Rules and Regulations and three complete copies of the electoral roll for the constituency. These should be returned to the Collector.

3. *Sub-divided Roll.*—The presiding officer must have the electoral roll subdivided for distribution to the polling officers.

4. *Ballot Papers, etc.*—The presiding officer will see that he has ready his ballot papers, the forms for tendered and for challenged votes and the other forms, etc., listed in the schedules which will be supplied to him by the Collector.

5. *Establishment.*—A suitable scale of establishment for each polling station is:—

(*a*) One presiding officer, one reserve presiding officer, and one assistant to the presiding officer;

(*b*) Polling officers—one for every 500 voters;

(*c*) Slip clerks—also one for every 500 voters;

(*d*) Ushering clerks, who direct the voters to the proper polling officer, one to every 1,000 voters;

(*e*) Reserves for polling officers, etc.—one to every 2,000 voters.

6. *Rehearsal.*—The presiding officer will summon all his polling staff to *his polling station* on the day before the election and have a rehearsal, reporting the fact to the Collector.

7. *Polling Agents and other Persons authorised to be in a Polling Station.*—There will be a polling compartment provided for each 1,000 voters on the roll. The object is to maintain a continuous stream of voters. The presiding officer must strictly exclude all unauthorized persons from the polling station, allowing in, besides voters, only the candidates and one polling agent for each candidate appointed in writing by the candidate and persons whom he may summon to identify

voters. The polling agent need not be the same man all the time, but one agent's badge will be issued for each candidate and only the agent with the badge should be in the station.

8. The reserve presiding officer should be employed on supervising the polling officers, ushering clerks, slip clerks, and reserve clerks. Ushering clerks, and reserve clerks not allotted any particular duty, should promptly lead the voters to the proper polling officers, and generally see that voters "move on" and out of the station as quickly as possible, and should not allow themselves to be drawn into conversation with any one.

9. *Polling Compartments—Pencils—Knife.*—There will be stationed *at the entrance* to the polling compartments a peon to see that only one voter is in a compartment at a time and that each compartment has properly sharpened pencils. He must have spare pencils and a knife. The pencils should be sharpened at both ends and fastened to the tables by strings about two feet long tied round the middle of the pencil. The assistant to the presiding officer should be placed in charge of the polling compartments and should generally be found at the entrance to the room containing them. He should see that the voters are not interfered with by any one, especially keeping an eye on the peons, and occasionally look at the ballot papers of voters entering to see that the papers are not marked. If they are, they should be treated as spoiled papers.

10. *Voting.*—A second peon will watch the ballot box. The voter after marking his ballot paper should fold it, drop it in the ballot box and straightaway leave the polling station. This peon's duty is to see that every voter puts his ballot paper in the box, does not put in more than one paper, and does not put in a piece of paper other than a ballot paper. He should frequently shake the box to make it hold as many papers as possible.

11. *The Ballot Box.*—The presiding officer will see that as soon as the ballot box is filled up, it is sealed up and replaced by a fresh one. The presiding officer should keep the ballot box in use within his view as far as possible.

12. The presiding officer is responsible for the whole arrangements and may have to deal with emergencies. A block may be caused by the slowness of one or two polling officers. They should be changed or given assistants to sub-divide their work. There should for the purpose be a spare chair beside each polling officer. There should also be one or two spare tables with chairs, say one to every five tables Some pages from the roll of any polling officer who is temporarily overtaxed can then be taken away from him and given to a lightly worked polling officer or to a reserve clerk placed at a spare table. This should be done at the first warning of a rush.

If reserves are inadequate the slip clerks may be taken away and made to work as polling officers, and some slip books with a statement of the parts of the roll dealt with at each table given to the candidates. But this involves removal of a valuable precaution, and should not be done if it can be avoided.

The polling officer will have three spare copies of the whole roll and if a dispute arises at a polling officer's table and interferes with the quick issue of ballot papers it should be settled by the presiding officer or referred to a polling officer placed at a spare table with a spare copy of the roll.

13. The presiding officer should before the polling begins see the senior police officer present and arrange for a suitable barrier where admission can be regulated if the number of voters seeking admission is excessive. But the entrance to the polling station should not be unduly narrowed. When the crowd is large the police should be asked to keep the approaches to the polling station clear, and, if necessary, remove all canvassers and volunteers away from the slip clerks.

14. *Closing of the Poll and Despatch of Ballot Papers and Returns.*—The Presiding Officer has also to attend to cases of disputed identity and will, when necessary, put his assistant in charge of the tendered votes lists and the list of challenged votes.

Directly the station is closed he has to prepare the sealed packets of—

(1) The unused ballot papers;
(2) The counterfoils of used ballot papers;
(3) The tendered ballot papers;
(4) The spoilt ballot papers;
(5) The marked copy of the electoral roll (Collecting the pieces from the various polling officers);
(6) The tendered votes list;
(7) The list of challenged votes;
(8) The ballot papers (together with the certificates) of officers on duty at the polling station (Regulations 17 and 18).

He has also to return the unused boxes with their keys attached and the statement of account of ballot papers under different heads such as used, unused, spoilt, tendered ballot papers and ballot papers dealt with under Regulation 18 of this part (Regulation 20).

15. The polling officers will make up their accounts in the form printed as Appendix CI to these instructions. From these statements the presiding officer will prepare the statement of account of ballot papers [paragraph 14 (8) above] in the form—Appendix BI*—and send it to the Collector the same evening with the other papers in a sealed cover.

16. The presiding officer in submitting his statement of ballot papers under Part IV, Regulation 20, will note in column 3 in brackets how many of the total number of ballot papers were issued to female voters in his polling station, thus "1519, of which 41 were issued to female voters".

17. *Filled up Ballot Boxes.*—The ballot boxes which are to be brought into use must after their inspection be sealed by a piece of cloth covering the keyhole and sealed at its corners. A piece of paper signed by the presiding officer should be gummed over the cloth. The slit on the top of the ballot box should be covered in the same way if the box is not brought into use immediately after it has been examined to see that it is empty, the paper being torn off when it is brought in to use. The slit on the top must be closed and sealed when the box is filled. To prevent breakage and damage of the seals or locks in transit the filled boxes should also be corded round and placed in gunny-bags before despatch.

18. *Voting by the Polling Staff.*—A member of the polling staff, if entitled to vote at another polling station, will see that he obtains the necessary certificate under Regulations Nos. 17 and 18, Part IV, from the Collector before the election day. Otherwise he will lose his vote. If his name is on the roll of the constituency in which he is working he will obtain a ballot paper pertaining to that constituency from his presiding officer, and the presiding officer will place in a sealed envelope separate envelopes containing the outerfoil and the certificate and send it to the Collector and account for the outerfoil in the proper column of his statement of account of ballot papers. If his name is on the roll of another constituency, voting in which is taking place on the same day, a complete ballot paper (foil with the counterfoil) for that constituency will be supplied to the presiding officer, who, after the vote has been recorded, will put in three separate sealed envelopes the outerfoil, counterfoil and certificate and send them in a single sealed outer cover to the Collector with the contents endorsed on all the envelopes.

* *Vide* Statement on page 282.

The account of the ballot papers of other constituencies should not be included in the statement, referred to in Instruction No. 14; but a note should be added below the statement giving an account of these papers.

19. *Despatch of Ballot Boxes.*—Immediately the station is closed the presiding officer will see to the despatch of the ballot boxes and returns to the headquarters of the Collector in a conveyance provided for the purpose under the escort of a polling officer, a peon, and one or more policemen. Boxes not used should have the seals removed before despatch and should not be put in gunny-bags. The presiding officer should state in his report the number of boxes used and not used. The presiding officer should obtain a receipt for the boxes and returns from the Collector on their arrival at their destination and have ready a duplicate of the receipt for the Collector to retain.

20. The peons must be in uniform.

21. The presiding officer, reserve presiding officer, assistant to the presiding officer, polling officers, slip clerks, reserve and ushering clerks should all be given badges. The polling agents should all have badges, as well as the candidates themselves.

22. *Slip issuing Clerks.*—These will each be supplied with a complete copy of the electoral roll for the polling station. Whether the voter produces a document showing his number and ward and part of the roll containing his name or not, the slip clerk will verify these and fill in, and give the voter a slip in the printed form and send him on to the polling officer taking from the voter his unofficial slip, if any.

23. *Polling Officer's Procedure.*—The polling officer should accept only the authorised printed slip, which he should retain and destroy. He may destroy it at once. He should not accept the number on the slip, but only use it to find out quickly the number and the name on the roll and should ask the voter his name. Ink pads are provided for taking the thumb impressions of voters who cannot sign. If the presiding officer doubts the voter's identity, or his right to vote at his polling station (not his right to vote generally, see paragraphs 35 and 36 below) or if a candidate or polling agent requires it he must put the person both questions (1) and (2) of Part IV, Regulation 12 [and also question (3) if it is a general election].

24. Each polling officer will be supplied with a seal to be impressed by him on the back of the ballot papers. The polling officers should take care to apply this seal at random and across the join of the foil and the counterfoil of each ballot paper before delivering it to the voter.

25. *Case of Firms on Roll.*—If when the polling officer reads out a name such as "Jivanlal Panalal" to a voter, the voter says he is not "Jivanlal Panalal" or that Panalal is his partner, or he does not say "Yes" to question (1) above, or refuses to answer the question, he is not entitled to a ballot paper. Only individuals, not firms, are entitled to vote. In this connection Council elections differ from Municipal elections.

26. *Ticking off the Roll.*—As soon as the ballot paper is given to the voter, the *polling officer will tick off the name in ink* in the roll. These marked parts of the rolls are to be tagged together in proper order by the presiding officer after the station is closed and sent sealed to the Collector.

27. *Female Voters.*—The polling officer should keep a running account of the number of ballot papers delivered to female voters (not recording the female voter's name or electoral number, of course).

28. *Spoiled Ballot Papers.*—If a voter inadvertently spoils his ballot paper, he may on giving it to the presiding officer and satisfying him of the inadvertence, obtain another ballot paper. The spoilt paper together with its counterfoil should be marked by the polling officer as spoiled. The number of spoiled ballot papers should be entered in the report to the presiding officer.

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29. *Identity of the Elector.*—The attention of polling officers is particularly drawn to Regulation 12 of Part IV. It is their vigilance alone which can prevent a man from voting twice. Regulation 12 is as follows:—

"At any time before a ballot paper is delivered to an elector, the presiding officer or polling officer may, of his own accord, if he has reason to doubt the identity of the elector or his right to vote at such station, and shall, if so required by a candidate or polling agent, put to the elector the following questions:—

(1) Are you the person enrolled as follows (reading the whole entry from the roll)? and

(2) Have you already voted at the present election in this constituency? and

(3) (at a general election) Have you already voted at this general election for the Legislative Council in any other general constituency?

and the elector shall not be supplied with a ballot paper if he refuses to answer one of the questions and unless he answers the first question in the affirmative, the second question in the negative, and at a general election, the third question also in the negative."

30. *All Doubtful Cases and Suggestions to be noted.—The polling officer should note down* on a sheet of paper *the number* of every elector whose vote is tendered or challenged or about whose *bona fides* he has doubts (if he gives him a ballot paper) with any remarks which would be of use if he later has to give evidence about the voter concerned. The polling officer should sign and date these sheets and give them to the presiding officer who will send them to the Collector in a separate packet marked "presiding and polling officers' notes and suggestions."

31. *Tendered Votes.*—"If the person representing himself to be a particular elector named on the electoral roll applies for a ballot paper after another person has voted as such voter, the applicant shall, after duly answering such questions as the *presiding officer may ask*, be entitled to mark a ballot paper in the same manner as any other voter. Such ballot paper (hereinafter referred to as a tendered ballot paper) shall, instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his name on the electoral roll and the name of the electoral area to which the roll relates and shall be set aside in a separate packet and shall not be counted by the Returning Officer. The name of the voter and his number in the electoral roll and the name or the distinctive number of the polling station to which the roll relates shall be entered in a list in form II annexed to the Regulations, which shall bear the heading 'Tendered Votes List.' The person tendering such a ballot paper shall sign his name and address thereon or affix his thumb impression against the entry in that list."

32. *Challenged Votes.*—"If any polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation the presiding officer may require such person to enter in the list of challenged votes (which shall be in form III annexed to the Regulations) his name and address, or, if he is unable to write, to affix his thumb impression thereto, and may further require such person to produce evidence of identification. If such person on being questioned in the manner provided in Regulation 12 of this Part answers the first question in the affirmative and the other questions in the negative, he shall be allowed to vote after he has been informed of the penalty of personation. The presiding officer shall make a note of the circumstances and of his decision, on the list of challenged votes".

The polling officer should discourage frivolous challenging and refuse to make entries in the list unless he receives a clear undertaking from the polling agent.

33. *Presiding Officer to decide all Tendered Vote and Challenged Vote Cases.*—When a vote is tendered or challenged the polling officer should send for the presiding officer to deal with the case.

34. *Distinction between a Tendered Vote and a Challenged Vote.*—The ballot paper containing a tendered vote is not to be put into the ballot box. That containing a challenged vote is put in the box. The presiding officer has to make some such note on the list of challenged votes as

(1) "Allowed to vote having given the prescribed replies to the three questions.

(2) "Not allowed to vote as he answered to question 1.....to question 2.....to question 3.....".

The presiding officer will enter "Yes" or "No" in these blanks according to the replies. If the person challenged goes away without persisting in obtaining a ballot paper there is no challenged vote.

35. *Doubt of Identity or Right.*—Under Regulation 12 if the presiding or polling officer doubts the identity of the elector or his right to vote at that station (not, be it noted, his right to vote in itself—of this the entry of his name is conclusive evidence), he *may* put the three questions, and *shall* put them if a candidate or polling agent so requires.

36. *Personation Suspected.*—Even though personation is suspected the presiding officer must give the ballot paper if the prescribed answers are received. The onus of detecting or preventing personation lies on the candidate and his agent.

37. *Delegation of the Presiding Officer's Powers.*—If many votes are challenged the presiding officer may have to delegate, verbally or in writing, to the polling officers his duties of (1) requiring the voter to enter his name, etc., in the list of challenged votes form, (2) putting the three questions, and (3) if necessary, asking the person for evidence of identity and (4) informing him of the penalty for personation. If the presiding officer makes this delegation he should supply each polling officer with a copy of form III. But the presiding officer himself must give the decision, and note his decision on form III.

38. The presiding officer should remember that the sole function of polling agents is to prevent personation. Seats should be provided for the candidates and their agents near the presiding officer and they should not be allowed to leave these seats or to interfere with the movements of voters.

APPENDIX A-I.

Indian Elections Offences and Inquiries Act, 1920 (India Act No. XXXIX of 1920).

Section 14.

(1) Every Officer, Clerk, Agent or other person who performs any duties in connection with the recording or counting of votes at an election shall maintain and aid in maintaining the secrecy of the voting and shall not (except for some purpose authorised by or under any law) communicate to any person any information calculated to violate such secrecy.

(2) Any person who wilfully acts in contravention of the provisions of this section shall be punished with imprisonment of either description for a term not exceeding three months or with fine, or with both.

7th March 1932.] Messrs. R. G. GORDON and H. F. KNIGHT. [*Concluded.*

APPENDIX C-I.

Form to be filled up by Polling Officer and handed over with the four packets noted below to Presiding Officer on close of the poll.

(No other information except Polling Officers' notes, which should be pinned to this, is required from Polling Officers.)

Polling Officer's number—

Number of ballot papers received.

Number of ballot papers used.

Number of ballot papers returned unused.

Number of female voters.

Out of the used ballot papers—

Number spoiled.

Number tendered.

Station

Date Signature of Polling Officer.

N.B.—Directly after the poll—

(1) The unused papers from partly used books are to be detached and separately tied up and labelled thus with a slip "P. O. 12—unused papers 17."

(2) Unused books are to be separately tied up and labelled thus with a slip "P. O. 12—complete unused books.—1."

(3) Counterfoils of used ballot papers are to be separately tied and labelled with a slip thus:—"P. O. 12—used ballot papers 433." (No ballot paper should on any account be included in with these counterfoils.)

(4) Spoiled ballot papers are to be separately tied up and labelled with a slip thus:—"P. O. 12—spoiled ballot papers 3."

Collector and Returning Officer.

Memorandum submitted by the DECCAN MERCHANTS' ASSOCIATION, Bombay.

Before attempting to answer the questions raised in the questionnaire seriatim my Committee think it desirable to make a few observations of general character concerning the questions which, on a review of the questionnaire, appear to them to be more important.

COMMERCIAL REPRESENTATION.

Dealing firstly with the question of commercial representation in the future provincial legislatures of autonomous provinces, my Committee would like to make the following observations.

At present the Cities of Bombay and Karachi and the Millowners' Associations of Bombay and Ahmedabad have the privilege of electing one representative each to represent Commerce and Industry on the provincial Legislative Council. My Committee are of opinion that the present representation granted to Commerce and Industry is inadequate inasmuch as the Commerce and Industry outside the City of Bombay remains unrepresented. For example, the Bombay Textile Industry has one representative on the Bombay Legislative Council, elected by the Mill-owners' Association, Bombay, but there is no representative in the Council on behalf of other industries in the province. These other industries in the province are the Hand-loom Industry, the Glass Industry, the Match Industry, the Gold-thread Industry and similar others. It cannot be denied that these have their special needs and grievances which have to be voiced. The Committee therefore propose that one seat should be granted to these industries. Mofussil commerce

also needs representation and the Committee in that respect suggest that two seats should be allotted for every division—Northern, Central and Southern—of the Bombay Presidency, for Commerce.

The Committee suggest the following scheme for the representation of Commerce and Industry in the Bombay Presidency proper :—

COMMERCE.

Bombay City.

Two Seats : One for General Commerce and one for Banking and other financial interests.

Mofussil.

Six Seats : Two for the Northern Division.

Two for the Central Division.

Two for the Southern Division.

INDUSTRY.

Three seats for the Textile Industry of the Presidency : One for Bombay, one for Ahmedabad and one for Sholapur and other centres of the Industry.

And one seat for the general industries in the province.

This distribution makes the total number of seats for Commerce equal to twelve.

The Committee have not included in the above calculation seats for European Commerce.

METHOD OF ELECTION FOR THE SEAT FOR GENERAL COMMERCE IN THE CITY OF BOMBAY.

At present the Indian Merchants' Chamber, Bombay, have the privilege of sending their representative on the Provincial Council. My Committee propose that instead of retaining this privilege in the hands of the Indian Merchants' Chamber alone, all the commercial associations in the City should be given a voice in the election of that representative. For the purposes of election bodies of recognised standing or those having a minimum membership should only be recognised.

ELECTORATE.

Coming next to the question of electorates, as the introduction of adult franchise is not feasible, the Committee propose that the electorate should be so extended as to enfranchise 25 per cent. of the population, the maximum limit proposed by the Federal Structure Committee. About the strength of the future Provincial Councils the Committee understands from press reports that it will be fixed at 250. The Committee therefore propose that there should be such a distribution of seats that every Taluka will have one seat. Taluka as a single member constituency would have been eminently suitable ; but as we are proposing elsewhere in this memorandum, that reservation should be granted to the Muhammadans and the Depressed Classes, the idea of single member constituencies will have to be given up. If population is taken as the basis, there should be one seat for every 100,000 of the population.

COMMUNAL ELECTORATES.

With regard to the question of communal electorates, the Committee are of opinion that in the larger interests of the country the principle of joint electorates with reservation of seats on population basis for the minorities, should be recommended.

The Shia community among the Moslems and the Chamar community among the Depressed Classes stand definitely in favour of joint electorates and the Committee are of opinion that under no circumstances, must they be forced to submit to separate electorates, against their sense of self-determination. Such tyranny of

the Sunnies and the Mahar majorities is in itself against the accepted principles of minority representation.

DIRECT *vs.* INDIRECT ELECTION.

My Committee are entirely opposed on grounds of principle to any system of indirect election in the case of the provincial legislatures and the Federal Assembly. The Committee support the principle of indirect election in the case of the Upper House of the Federal Legislature only.

UPPER CHAMBERS IN THE PROVINCES.

Speaking for the Bombay Province only, the Committee do not think that a second Chamber is necessary in the Province. Whatever need of moderation and sobriety may be found necessary for checking the rashness of the Lower House, will be provided for, by a large number of special representatives, in the Lower House itself.

QUESTIONNAIRE.

With these preliminary observations the Committee would proceed with the questionnaire itself.

EXTENSION OF THE FRANCHISE.

(*a*) (1) In the absence of adult franchise the only suitable method of extending the franchise is lowering down the present property qualifications. We therefore propose that the present property qualification for the provincial legislature should be reduced to Rs. 8 which is the present Taluka Local Board qualification. Proportionate reductions should be made in forms of property qualifications other than land revenue, *e.g.*, in the city of Bombay anyone paying Rs. 10 as house rent is enfranchised at present. This should be now fixed at Rs. 3 the mofussil qualification, and the mofussil qualification be reduced to Re. 1 only. Persons paying taxes to the State in any other form, *e.g.*, the wheel tax or license fees, should also be enfranchised, if the amount of tax paid comes up to the fixed minimum.

(2) The literacy qualification should also be introduced so that those who have passed the Vernacular fourth standard be made eligible for franchise.

(3) In the case of persons paying double the tax fixed for the franchise qualification, they should be given double votes—one for the husband and one for wife.

(4) In the case of a Hindu joint family all such persons in the family who would have been enfranchised if the family were divided, be enfranchised in spite of the fact that the family remains undivided.

(*b*) Yes.

(*c*) Having regard to the fact that such gigantic operations as the decennial Census are carried on smoothly and accurately we see no reason to be apprehensive that the electoral machinery would not be capable of dealing with the extended electorate.

(*d*) Does not arise.

(*e*) We think it to be both practicable and desirable. The means have been suggested in our answer to (*a*).

(*f*) We approve of the suggestion and are of the opinion that they should vote in the same constituencies.

(*h*) No.

2. FRANCHISE QUALIFICATIONS.

(*b*) We are not in agreement with the proposal.

(*c*) The same as proposed in our answer to question 1 (*a*).

(*d*) Yes. The minimum qualification necessary for the purpose should be the passing of the Vernacular fourth standard.

(*e*) We have no objection if they are retained.

Memorandum by the DECCAN MERCHANTS' ASSOCIATION. [*Concluded.*

3. WOMEN'S SUFFRAGE.

(*a*) We agree to the proposal of the Fanchise Sub-Committee. Moreover we are of the opinion that for the purpose of franchise there should be no distinction between sons and daughters. They should stand on equal footing. Widows and daughters who have a claim for maintenance against the family, to the extent of the voting franchise, should be enfranchised.

(*b*) We are not in favour of separate groups for women.

(*c*) We hope that sufficient number of able women should be forthcoming to take their seats in the Legislatures and there would be no need of any special provision for securing their representation.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

We do not include classes other than the untouchables in the category of the Depressed Classes. We are in favour of granting to the Depressed Classes joint electorates with reservation of seats on population basis.

We think that they would secure the required representation by the general extension of the franchise.

5. REPRESENTATION OF LABOUR.

We are of opinion that Labour should be given adequate representation on the Legislature.

5(*a*). REPRESENTATION OF SPECIAL INTERESTS.

We are in favour of retaining the present representation for the special interests.

II—THE FEDERAL LEGISLATURE.

The Committee are of opinion that every district should be regarded as the primary unit for territorial constituencies. And if population be adopted as the basis, there should be one seat for every million of the population.

(*a*) We are in agreement with the proposal of the Federal Structure Committee.

(*b*) The present franchise qualifications for the Provincial Legislatures should be adopted for the future Federal Assembly. A new qualification based on education should be introduced. The minimum qualification for the purpose should be the passing of the Matriculation or an equivalent examination.

(*c*) We object to indirect election on principle.

Mr. P. M. BHAGWAT
Mr. LALIT } **Representing the Deccan Merchants' Association.**

1. *The Chairman :* Mr. Bhagwat, you are speaking for the Deccan Merchants' Association ?—Yes.

2. What is the membership of your Association ?—About 200.

3. Now there are 7 representatives of Commerce in the Council and you suggest that this number should be increased to 12. Is that correct ?—Yes.

4. You suggest two seats for general commerce, one for banking and another for finance, for Bombay city ? Is that correct ?—Yes.

5. And in the mofussil two for the northern division, 2 for the central division and 2 for the southern division ?—Yes.

6. Three for the textile industry and one for the general industries of the province ?—Yes.

7. Will you tell me first why you think that the number should be increased from 7 to 12 ?—We want two seats to represent general Commerce, six seats for the three divisions, three for the textile industry and one for general industries.

8. Supposing these seats are allotted, how would you get the Northern division, for instance, to vote for two representatives ?—We would give all the factories governed by the Factory Act a vote each.

9. Would you give votes to the shareholders or to the units ?—Not to the shareholders. We will give each concern a vote. Each individual factory will be a unit.

10. And each unit will have a vote in the constituency ?—Yes.

11. *Mr. Jadhav :* Are there not factories which work all the year round and are there not others which do not work throughout the year ?—Yes.

12. To which of these concerns are you going to give the vote ?—To both. In the case of factories which do not work at certain seasons there will be the offices.

13. So you want to give representation for the factory buildings ?—There will be somebody in charge of the building with office and so on. Take, for instance, a ginning press or factory in the mofussil. It actively works, no doubt, only for the season. But all the same, it does not cease to be a trading concern. It starts work again the next season.

14. *The Chairman :* The unit is the business concern ?—Yes.

15. *Sir Sunder Singh Majithia :* It seems to be peculiar that out of 250 seats you want 25 seats to be given to business concerns ?—No. Only 12.

16. What is the present number ?—86 elected and 28 nominated.

17. You say in your memorandum* that the Shia and Chamar communities stand definitely in favour of joint electorates ?—Yes.

18. Have you got any basis for this statement ?—I have not got it with me here. But I have heard of and read so many resolutions passed by different leaders at conferences to this effect.

19. Can you support your statement by a copy of any such resolution ?—I have not got it here.

20. Can you send us the same ?—Yes.†

21. *The Hon'ble Mary Pickford :* In regard to women's suffrage you say that you agree with the suggestion for enfranchising the wives and widows of qualified voters, and you say that there should be no distinction between the sons and daughters. I suppose your answer refers to joint Hindu families ?—Yes.

22. So that, wherever property is sufficiently large, you would enfranchise every adult member of the family in proportion to the extent of property ?—That is my idea.

23. Under (c) you say that a sufficient number of women would be returned. Supposing the electorate is not wise enough to return a sufficient number of women, you would have no objection to some other method of special election, just for a short period, in order to ensure that in the first two or three councils, women would be there to represent their views ?—Of course I have no objection if seats can be reserved for women. My opinion is that a sufficient number will come through elections.

* * * * * * *

24. *Sir Muhammad Yakub:* What is the population of the mercantile community in your presidency ?—I think there is no such community as the mercantile community.

25. What proportion of the population of Bombay consists of mercantile people ?—Something like 10 per cent.

26. Would you be satisfied if the mercantile community gets representation on the population basis ?—Yes.

* Page 301.

† *Vide* appendix on page 308.

27. You say that the number of representatives of the mercantile community in the Council should be increased. You say that certain interests are not represented. If you are satisfied with your representation on a population basis, on what basis are you asking for increased representation ?—I am not satisfied with the number of seats now provided for the mercantile community. But if a provision is made whereby a sufficient number of seats in proportion to the population can be secured for commerce and industries, then I have no objection.

28. You will have no objection ?—I have no objection, but then probably provision for a larger number of seats will have to be made.

* * * * * * *

(*The witness*) : I will explain what I said. If separate electorates are allowed for untouchables and if a particular section, which is generally recognised as belonging to the untouchable community, thinks that it should have a joint electorate, the constitution should not force a separate electorate on them. The Chamar community, which is a minority among the untouchables, thinks that it should have a joint electorate only. Probably other minority communities think likewise.

29. In your opinion every community should have the right of self-determination ?—I say that there should be no distinction like the majority community and the minority community. Even among the untouchables the majority should not be allowed to force its opinion on the minority.

* * * * * * *

30. What is the opinion of the Bombay Presidency Muslim League about separate representation ?—They are in favour of joint electorates.

31. Can you show me any resolution of that body which favours joint electorates ?—Yes. But I have not got such resolutions here.

32. Can you give any circumstantial evidence ?—One of their representatives, Mr. Chagla, has stated like that. He would have substantiated my statement ; but unfortunately he has chosen not to appear before the Committee.

The Chairman : You say that this is an incorrect statement ?

Sir Muhammad Yakub : Yes, Sir. Quite so.

33. *The Chairman :* Have you got any statement to make to substantiate your remark that the depressed classes stand definitely in favour of a joint electorate ?—I shall forward copies of resolutions passed by these bodies. *

34. *Sir Muhammad Yakub :* Supposing seats are reserved for the mercantile community, would you also give them the right to vote in the joint electorate ?—Yes.

* * * * * * *

35. *Mr. Butler :* If seats are not reserved for you, would you ask for a second chamber ?—Do you mean in the province ?

36. My question is whether, if you do not get as many seats as you ask for, you will revise your opinion about the second chamber and ask for seats there ?—No.

37. Would you run the risk of foregoing any additional representation ?—Yes, my Committee is very definite on the point. Under no circumstances would we have a second chamber in the provinces.

38. Do you consider that without special functional representation your commercial interests will not be safeguarded ?—My submission is that there is no sufficient representation for us now.

39. You could not get what representation you want in a general constituency ?—No. That is why I have asked for special representation.

40. *Dr. Ambedkar :* You said in answer to a question by Mr. Butler that you wanted special representation because you could not get the commercial men

* *Vide* appendix printed at page 308.

elected through the general constituencies ?—Sometimes popular commercial men may come through the general constituency also. But that is difficult and depends on chance. I want to make it a certainty.

41. What I want you to tell me is this : is there any special disability from which the commercial magnates may be said to suffer so that if they stand for a general constituency they will not get elected ? Suppose Mr. Kothari stands in a general constituency, do you think that by reason of the fact that Mr. Kothari belongs to the commercial community he will suffer any particular disadvantage ?—I want him to be returned as a representative of commercial interests and that he should feel as being charged with the duty of safeguarding those interests.

* * * * * * *

42. You stated that you want commerce to be represented. Would you be satisfied if those who represented commerce had only right to vote when commercial subjects were discussed or, would you like to have full membership rights for these people to vote on any subject that came up for consideration ?—You probably want to treat them as the present expert members and in that case if their vote is restricted to particular subjects I would have no objection.

43. *Lord Dufferin :* How many seats will you allow for European commerce ?—I am not prepared to make any distinction between European commerce and Indian commerce. If there are Chambers of Commerce all of them should form one constituency.

44. Combined ?—Yes.

45. How many seats would you give them ?—Not more than the three seats which are now allotted to Bombay city.

46. How many more seats do you want if European commerce is combined with yours ?—I have already stated that these seats are for both Indian and European commerce. There is one seat already reserved for General Commerce in Bombay city.

47. *Mr. Chintamani :* Suppose there are no seats at all for commerce, either British or Indian, either for Bombay city or the Presidency in general, will you ask for special representation ?—Yes. Our difficulties are peculiar, which other people generally do not understand.

48. I suggest to you that your idea of special representation for Commerce and Industries is due to the fact that there is now representation for the Bombay Chamber of Commerce and for the Indian Merchants Chamber, and if there was no special representation already in existence, you would have been satisfied ?—If all special representation is taken away, then I won't insist that there should be special provision made for Commerce and Industries.

49. *Mr. Miller :* I take it that your demand for 12 seats is really based on the importance of the interests mentioned and is not made on the basis of population or on the ground of minority ?—Yes.

50. You say, after asking for twelve seats : 'The committee have not included in the above calculation seats for European Commerce'. May I know why ?—I do not want any special representation to be given to the Bombay Chamber of Commerce as such and the number to be increased on that account. I want 12 seats for the vested interests to be safeguarded both in Industries and Commerce. In this I have not made any special provision for any seat being reserved for the Bombay Chamber of Commerce or the Karachi Chamber of Commerce. They should come under this number 12.

51. Would you give to the Europeans something like half ?—Not half. I don't want any seats to be reserved for European Commerce as such. Their interests are identical with ours, and they should have only joint electorates with us. Take the instance of the Millowners' Assoiation. There are mills, for instance, that are controlled by European and Japanese owners or capitalists and there

are mills controlled by Indians exclusively. And since they accept joint electorates so far as the millowners are concerned, the same principle should be followed for other commercial representation also.

52. I want you to say, if these 12 seats are given, what happens to Europeans ?—My idea is that as industrial men and commercial men they are equally interested and the interests of the Indian commercial men are not different. So they should not form a separate electorate.

53. *The Chairman :* Is it your view that the European Chamber of Commerce should take its chance with the rest in the 12 seats ?—Yes, that is my meaning.

54. What is the meaning of the last sentence under this head in your memorandum ?—In these 12 seats I have not made any special provision for separate seats being reserved for European Commerce.

55. *Dr. Ambedkar :* Would the 12 seats you claim be in addition to the European seats ?—When we drafted the memorandum our idea was that the European commercial interests need not have any separate seats reserved for them, but if at all, as a matter of expediency, seats are granted to them, it should be in addition to these 12.

56. *The Chairman :* You express no opinion as to whether Europeans should have additional representation or not ?—We simply fight for the increase of commercial seats. But I prefer that they should have joint electorates.

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57. *Khan Bahadur Aziz-ul-Huque :* Have you got a published report of your association year by year as to the working of your association ?—Yes.

58. Will you give us a copy ?—Yes, I shall send it on to you ; there are no copies with me here.

59. Supposing you are given 12 seats for commercial interests and the interests of industry, you say that you are in favour of giving adequate representation to labour—what number do you think should be adequate for labour in view of your number being 12 ?—I have stated it in my memorandum.

60. You stated that you are of opinion that Labour should be given adequate representation. As you have asked for 12 seats, will you kindly tell us what you consider to be an adequate representation of Labour ?—I have said that, exclusive of agricultural labour, for industrial labour I would probably allocate one seat for 100,000 workmen.

61. And that you consider to be very generous ?—That is what we consider adequate.

62. Can you tell us the number of industrial workers in the Presidency ?—There must be 6 lakhs.

63. So you want six seats for Labour and 12 seats for Commerce and Industries ?—Yes.

64. Can you tell us what is the special interest of Indian Commerce as distinct from other interests of Indians ? What speciality is there in Indian Commerce which cannot be safeguarded by Indians in general ?—I have not asked for these six seats only for Indian Commerce ; they are for European Commerce also.

65. For the time being you leave European Commerce to take care of itself. That is a question to be separately treated. Coming to Indian Commerce, would you tell me what special interest Indian Commerce has which Indians cannot take care of in the Legislature ?—There are certain commercial problems.

66. What are they ?—Suppose factory legislation is to be considered.

67. Are you aware that this legislation is not under the Provincial Government but the Imperial Government ?—But there must be somebody to look after commercial interests in provincial legislatures also.

68. Are you aware that questions of tariff and labour legislation and other questions are matters for the Federal Legislature and not for the Provincial Legislature ?—Take roads and communications.

69. Roads and communications are nothing special to Commerce ?—Sometimes commercial interests may require special treatment even in the matter of these subjects.

70. Can you tell us what amount of capital is invested in the Deccan Merchants' Association ?—There is no capital required. It is not a joint stock company carrying on any particular business. We members are carrying on our own independent businesses.

71. Do your members belong to all parts of the Presidency ?—Yes, and Bombay city also.

72. You have referred to many industries, such as the handloom industry, the glass industry, the match industry, the gold thread industry and so forth. To look after Indian commercial and industrial interests as a whole is there one association in the Bombay Presidency ?—Yes. The Indian Merchants Chamber, Bombay, is at present representing the commercial interests of the whole presidency.

73. That institution looks after the interests of Indian Commerce and Trade ?—Yes.

74. Would you think that it is sufficient to give representation to the Indian Merchants Chamber only for the purpose of protecting and safeguarding Indian Commerce and Industry ?—I do not think it is sufficient.

75. Why ?—Because after all, the interests they represent are more or less situated in the City of Bombay. Mofussil interests are not properly and adequately represented.

76. You will be satisfied if mofussil interests are represented. So far as the City is concerned, the Indian Merchants Chamber is sufficient ?—Yes.

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77. *Mr. Bakhale :* You have stated in your memorandum as follows : "My Committee are of opinion that the present representation granted to Commerce and Industry is inadequate inasmuch as the Commerce and Industry outside the City of Bombay remains unrepresented. For example the Bombay Textile Industry has one representative on the Bombay Legislative Council, elected by the Mill-owners' Association, Bombay, but there is no representative in the Council on behalf of other Industries in the Province." Now I want to ask you whether you have found it difficult to affiliate yourselves with the Indian Merchants Chamber ?—My idea is that if the selection of representatives is to be retained in the hands of the Indian Merchants Chamber, it should be more democratised—democratised in this sense, that their voters' list should be extended by giving the right of vote to the members of the different associations which form part of the Indian Merchants Chamber.

78. Cannot the voting strength be democratised by all the commercial interests affiliating themselves as one central organisation ?—But they have got a rather prohibitive fee. Besides, it is not purely an institution which consists simply of associations. There are individual members also there.

79. While your association consists only of concerns ?—There are individual members who represent some concerns.

80. Then, how would you give this representation ? Will you select an electoral college for the purpose of election or will you form a separate constituency for the purpose of giving representation to different associations in the Presidency ? —My idea is that each association of a particular standing and having a minimum number of members on its rolls should be on the voters' list ; each association would have one vote.

81. Now coming to the electorate, you say that the introduction of adult suffrage is not feasible. Is that the view of your association or have you expressed the opinion of somebody else ?—I have expressed the view of my association.

82. Why is it not feasible ?—Because of the large numbers, probably it is not manageable in one jump. Our ideal is adult suffrage, and we are in favour of 25 per cent. of the population being enfranchised at once to begin with.

83. Instead of taking that big jump, will you be satisfied if the whole population above a certain age, say 25, 30 or 35 years, can be enfranchised so as to include all classes of people in the voters' list ? Has your association considered that point ?—We have not considered that.

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84. *Mr. Jadhav :* Your memorandum says that you are in favour of retaining the present representation for the special interests. That is, you want to retain the present representation ?—The reference to special interests was probably about the university seat.

85. Only the university seat, and not the millowners ?—And the inamdars and landholders.

* * * * * * *

86. *The Chairman :* Can you cite any instance in which the bodies you represent have been prejudiced by the absence of separate representation ?—(No answer).

87. *Mr. Jadhav :* Are you yourself a member of the Indian Merchants Chamber and Bureau ?—Personally, I am not a member of the Indian Merchants Chamber and Bureau.

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88. *Khan Bahadur Allahbaksh :* In your memorandum in regard to the question of seats, you excluded Sind. Are you of opinion that there are no commercial interests in Sind, or you do not know the conditions there ?—Our idea was that Sind is going to be separated.

89. If Sind is not separated ?—Then I would naturally increase the number.

90. *Mr. Haji :* Do you propose to reserve any seats for Muhammadans ?—In commercial seats I do not make any communal distinctions. It is only for commercial interests that I want more seats.

91. Do you expect any Muhammadan to be returned for these 12 seats ?—Most likely.

92. Will you name any one of the constituencies which are likely to return a Muhammadan ?—It depends upon the candidate. If, say, a man of the position of Sir Ibrahim Rahimtoolah chooses to seek election he will be returned. It depends on the person and not on any particular constituency.

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The Committee then adjourned.

APPENDIX.

Letter from the Deccan Merchants' Association, No. 270, dated the 16th March 1932, to the Chairman, Indian Franchise Committee.

With reference to the statement * in the memorandum submitted by this Association, that " the Shia community among the Moslems and the Chamar community among the Depressed Classes are definitely in favour of joint electorates ", our representatives, in their oral evidence, promised to supply you with copies of the resolutions passed by the respective communities to that effect.

The representative of the Chamar community who appeared before you for oral evidence has definitely expressed himself in favour of joint electorates. This should, we think, suffice to prove the truth of our statement.

In the case of the Shia community, we are at present in communication with the ex-presidents of the Shia Conferences, and hope to be able to supply you with necessary evidence to substantiate our statements, in due course.†

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* Page 300.

† Not received.

BOMBAY.

Dated 8th March, 1932.

PRESENT :

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE BOMBAY PROVINCIAL FRANCHISE COMMITTEE.

MR. C. W. A. TURNER, C.I.E., I.C.S., Reforms Officer, Government of Bombay.

1. *The Chairman :* You are giving evidence on behalf of the Government ?—Yes.

2. On the basis of this report, the blue-covered book ?—Yes.*

3. I understand the Government is prepared for an extension of the franchise, the total of which may amount to 13½ per cent. of the population ?—It works out to that ; the property qualification brings in about 2 millions, widows will be about 500,000 and the Sind Haris about 400,000. It works out to between 13 and 14 per cent.

There is a technical question on the basis of land revenue which I am going to ask Sir John Kerr to ask you about because he is more expert on these matters.

4. *Sir John Kerr :* Is it true to say that in your statement you deal with the whole province on the ryotwari basis ?—Yes, except Sind.

5. There are no big landlords here except the Sardars and Inamdars ?—And the Talukdars who correspond to the Sardars and Inamdars of the Deccan.

6. Roughly what proportion would they cover ?—I can only make a rough guess. I do not think the total would pay more than 5 per cent. of the revenues of the province.

7. So that the great mass of the agricultural population deal direct with the Government officers who assess their revenue and collect it ?—Yes.

8. They have not got to be protected against landlords as is the case in some other provinces ?—No ; there are of course difficulties between landlord and tenant, especially now-a-days mainly for political reasons, and there is the question which we have tried to tackle of giving some political representation to the Sind Haris who at present get no representation at all.

9. You propose to reduce the land revenue qualification to Rs. 8 and Rs. 4 which, as Mr. Coverton says, brings in only the fairly substantial cultivators ?—Yes.

10. Supposing you reduce the land revenue qualification to Rs. 4, what class of the population would you bring in on that basis in the Presidency proper ?—I should say there would be a very substantial increase in the electorate and it would bring in a good many depressed classes and a certain class of people who hold very little land but earn a good deal of their living by going out for labour after the agricultural season ; it would also bring in a very large number in the Deccan districts where holdings are small.

11. Would the landless labourer come in at all under the depressed class provision ?—To some extent. The class who would come in, I think, is mostly in the towns.

* *Vide* Bombay Government's memorandum in Vol. II of the Report.

12. So that you are leaving out very largely the landless labourer in the villages ?—I think so.

* * * * * * *

13. Can you suggest any means by which you could give him some sort of representation ?—I can think of none except the group system which Government are against.

14. That is the picture in this Presidency. You could by reducing the land revenue qualification to half of what is proposed bring in the whole of the cultivating classes and a certain proportion of those who labour in addition to having certain holdings ?—I don't know if you would bring in the whole of the cultivating class. You would bring in about 90 per cent.

15. Tell us briefly what the conditions are in Sind.—Sind is a zemindary country ; big zemindar estates which are mainly cultivated by temporary tenants, not permanent tenants who are called Haris. They are not bound actually to one estate ; they can move from estate to estate but I think the Haris stay mostly in one estate.

16. They have no statutory tenant's rights ?—No.

17. Of course there is any amount of land available for cultivation, so it is not so important ?—No.

18. How many of those do you propose to bring in ?—Roughly 400,000.

19. Is that the majority or less than the majority ?—I should say it is the majority.

20. There, again, you don't bring in the labourers ?—Not absolutely the landless labourers.

21. *The Chairman :* In section 5 you say " in the local boards the franchise has been extended to only about 8 per cent. of the total population subject to the jurisdiction of the local boards." What proportion of the Presidency is under the jurisdiction of the local boards ?—The whole of the Presidency is under the jurisdiction of the local boards except municipal and cantonment areas : it includes the District and the Taluka local boards.

22. Turning to section 8* you say " the urban electorate would be 20·7 per cent. of the urban population and the rural electorate would be 7·9 per cent. of the rural population." Can you make proposals for getting a better ratio ?—You will notice in the statement that the total urban strength is 10 per cent. and the rural is 2·2. We propose to raise it to 7 per cent. We have given a considerably greater increase to rural than to urban voters : we doubled the urban and trebled the rural.

23. The disparity is there. Can you not make proposals for reducing it further ? The argument is this (we have heard it elsewhere, not in Bombay), that it is only necessary for a candidate where similar conditions arise to get the urban vote.—That is true where there are big cities but it does not apply where there are no big cities.

24. Is there any way of finding out how important this factor is ? I propose that you look into that.—Yes ; of course if the assessment qualification is reduced as suggested by Sir John Kerr that would make a very considerable difference.

25. I understand that you see some objection to the coloured box system on the ground that the people locally are to some extent colour blind ?—That has been our experience. In 1920 we tried it and in those constituencies even in Bombay city, where there were numerous candidates, when you got past the ordinary

* *Vide* Bombay Government's memorandum in Vol. II of the Report.

black, white, red and green and had to resort to maroons and purples, they had no notion of what it meant. As a matter of fact the only election I supervised was in 1920 in Matunga. At the time the non-cooperation movement was on with the result that comparatively few recorded their votes and I had wagon loads of boxes sent to me and a large proportion had only one vote or none and several boxes arrived smashed, and that was not a unique experience. After taking the reports of all the returning officers Government decided to give up the system.

26. We had evidence from Ceylon where, I think, 50 per cent. of the population are literate, that the system was working smoothly. There is no difficulty about using the symbol as well as the coloured boxes, if you want to.—You still get the difficulty of carting the boxes, sometimes miles by road, to send to the railway station for headquarters to count.

27. It becomes a factor if the constituency is a single member but not a multi-member constituency ?—Yes, that is true.

28. Turning to section 11, I see you think that an educational certificate of the 4th vernacular standard is unworkable. Other provinces think it is workable ?—To start with, I think that all the people from 30 years of age onwards would have the very greatest difficulty in procuring a copy of their certificate. I have consulted the educational authorities and they say it is a fact and that it might lead to a great deal of corruption.

29. It would be practicable so far as the younger generation is concerned ?—That is so.

30. And the future generation ?—Yes, but whether a 4th standard qualification is of very much use from an educational point of view is a matter of a good many doubtful opinions.

31. *Sir Zulfiqar Ali Khan :* I would like an amplification of your answer to the Chairman's question with regard to the qualification based on education. The Bombay Government are not in favour of this qualification and your objection is that those people who are 35 and over 35 years of age could not produce their certificates. That would rule out the educational qualification altogether ?—More or less.

32. You know that education is the only means by which the intelligence of a person is sharpened ?—Yes.

33. And if the educational qualification is ruled out you could not expect a person to cast his vote in an intelligent manner ?—There is a good deal to be said for that.

34. Would you not devise some means for overcoming the difficulty ?—I am afraid it is beyond me.

35. With regard to the future generation, the generation now being educated, they could have the right of vote ?—They could get a certificate but you realise what would be the effect of that : it would increase the disparity of the representation between the advanced classes and the backward classes.

36. I suggest that you devise some means by which you can give the educational qualification to the men who have recently come out of schools up to the age of 21 ?—The practical difficulty is with the older people.

37. *The Chairman :* The difficulty arises with people who have lost their certificates ?—There is also the other point that a very large proportion, the majority of those boys and girls who would get the educational certificate, are qualified and will be qualified under the ordinary qualification, and those who are not qualified under the property qualification will belong to the same class as those who are qualified under the property qualification. It will increase the existing disparity between the advanced and the backward classes. I put that before you. I don't say it is objectionable.

38. We are not concerned with the disparity generally. We want to get voters who are intelligent enough to understand an election ?—If you want that I would go higher than the 4th standard. I would insist on matriculation.

39. There is the same difficulty about matriculation ?—That would increase the disparity still more.

40. For the rural population would you advocate a system of nomination ?—That is one way out of it.

41. Would you not rather, under those circumstances, have some sort of indirect group system ?—When the suggestion was first made about the group system I started off with seeing if I could work out any system which would be practicable and finally I came to the conclusion that it would, in this country, be impracticable.

42. *Sir Sunder Singh Majithia :* You say " a group of electors elected on joint suffrage could not be added either to the Muhammadan or non-Muhammadan rolls of directly enfranchised voters ". Why could they not be added to different electorates ?—It would be extremely difficult under the group system.

43. Is there any need for a register for the election of secondaries ? Could you make them go from house to house, having informal grouping, instead of a register ? —I think that would lead to a lot of confusion. Our experience is that the only officer who can control the Panchayat election is the Mamlatdar and he may have 120 or 150 houses. He may have the help of a naib tahsildar or *aval karkun* but it would mean that two or three men would have to do the job perhaps in 120 villages scattered over a wide area varying in population, varying in castes and creeds. I think it would be very difficult and I am against it.

44. *The Hon'ble Mary Pickford :* At what age would a boy or girl normally take the 4th vernacular standard examination ?—About 11.

45. Therefore there is considerable danger that in 10 years he or she may lapse into illiteracy again ?—There is a very great danger.

46. Is there any examination in between ?—I don't think there is.

47. In some provinces the normal age for matriculation is 16 ?—Yes, the normal age here is 16 or 17.

48. That would enfranchise a particular class ?—You do get some of the backward class in that but the great majority would belong to the advanced classes.

49. *Sir Ernest Bennett :* You mentioned that the endeavour to get certificates might lead to corruption. Corruption of whom ?—The schoolmaster.

50. *Dr. Ambedkar :* Would the Government of Bombay be willing to consider the extension of the franchise provided it was proved that a larger extension than that recommended was not considered administratively impossible ?—I think so. I think the main difficulty is the administration of an enlarged electorate. I think if a scheme is suggested whereby you can minimise the difficulties in the existing procedure of election, the Bombay Government would not have difficulty in recommending the extension of the franchise more than they have done.

51. Or do they think it is unsafe to extend it ?—I think certain members of the Government do hold that view.

52. What sort of legislature do you think you will get on the franchise you have recommended ? Would the legislature be very different from the sort of legislature you have today ?—I don't know if it would be very much worse.

53. I have not in my mind the individual who would be elected to the Council. I am talking about the representative character of the Council. Would it be more progressive or more conservative ? What sort of legislature do you think you would get ?—It is extraordinarily difficult to foresee. It you extend the electorate very much it does not always follow that the very advanced sections will get in. It depends very largely on the candidates and how far they can influence the electorate.

54. Has it not been your experience that the existing legislature in Bombay is always against extension of any sort ? Don't you think it would be very difficult for the poorer classes to whom we are trying to give representation to get any measure passed for compulsory education, sanitation or any other social amenities ? All those would be difficult to get passed in the legislature if your franchise was as limited as it is to-day ?—That is possible, but I cannot help thinking that even the representatives of the poorer classes, if they are asked if they want more taxation or not, will emphatically say No.

55. If it is placed on their shoulders ?—It must be distributed equally.

56. I will put it in a blunt fashion. Don't you think that the poorer classes whose education is so much dependent on Government, whose sanitation, health and other amenities of life are dependent more on Government activities and on the richer classes, would find it difficult to get enfranchisement on the 10 per cent. basis ?—Possibly.

57. Is that legislature any good ?—Well, there is the other danger, that if you get these representatives of the poorer classes in they will not have had enough experience, at any rate at first, to realise that the financial capacity of the Local Government is very limited , and I think we are already bankrupt and shall have to file our petition very quickly.

58. There may be some reckless ones, but you are not going to give them an absolute majority in the Council to run amok ?—Possibly not, but I gather you want to go very much further and therefore I want to cry " *cave*".

59. *Mr. Miller :* If Rs. 4 is the assessment, as suggested by Sir John Kerr, instead of Rs. 8, would it be administratively possible for the Government to deal with that franchise ?—I have not actually considered that.

The Chairman : We will get the figures.

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60. *Mr. Tambe :* You say " Possession of property has become the corner stone of democracy ". Can you explain and elaborate that point ?—I am afraid I am not a James Bryce.

61. There are registers kept in the vernacular schools which would show when a boy or girl left school and in what standard he or she was at the time of leaving and therefore there should not be any difficulty in obtaining a certificate ?—I should be very sorry to have to examine those records after 20 years.

62. If a person wants to come on the roll and he takes the trouble to obtain a certificate, have you any objection ?—I don't think it is going to be a desirable form of qualification. That is the view of the Government.

63. You don't want literates ?—The trouble is it does not mean literacy.

64. The number brought on record will not be large ?—No.

65. There will not be any question of increasing the disparity ?—Very little.

66. You were urging that if literates were allowed there would be a great disparity ?—It will mean a slight increase at present but later on when the younger generation comes along it might be considerable.

67. You have the compulsory Education Act in force in the province ?—There is very little compulsion. It may be useful in another 50 years.

68. Is it a dead letter in your province ?—Practically it is.

69. *Khan Bahadur Aziz-ul-Huque :* Supposing I put it to you that every proprietor of an agricultural holding be made a voter, will it swell the voting strength to a very large extent ?—I find that the total number of agricultural holdings—very small holdings and very big holdings—is not more than two millions and a few

* These figures were subsequently received, but have not been printed.

lakhs. Will that qualification add very much to the voting list?—It would, I think.

70. Very much more than the reduction to Rs. 4 land revenue? I find that the number of holdings of less than 5 acres is about one million and some lakhs?—If you make it Rs. 4, I think a majority of the holders would get in.

71. Do you mean to say that if Rs. 4 is fixed as the qualification every small holder is likely to come in?—Not every one.

72. What percentage would come in?—I can't give you the figure.

73. If instead of Rs. 4 every owner of an agricultural holding is made the voter, will that make much difference?—I cannot answer that off-hand. Further examination is necessary.

74. I want to put to you another suggestion about the rural areas. If every family be entitled to vote, it will give you roughly about 3,810,000 voters. Every family will be taken as a group and every family will have a vote. That will exactly be 20 per cent. which you have already fixed for the urban areas?—You mean every household.

75. Yes. That will bring in the labourers, the depressed classes and everybody, high and low, and yet will do away with all the other qualifications. I have calculated that if 20 per cent. of the urban population is enfranchised and every family in rural areas is enfranchised, you would be enfranchising about 4½ million people and if you divide that into the 27 districts of the Bombay Presidency it will mean that you will require about 150 Presiding Officers, which they can safely manage at the present moment. You will find that you are at present leaving certain classes out. You are taking the Prime Minister's minimum as the maximum. Will that be administratively impossible to manage? It is a sort of group system in which every family gets a vote.—I think it would be administratively impossible.

The Chairman: That depends on numbers. You can give us a note on that.*

76. *Khan Bahadur Aziz-ul-Huque:* I have written a short note which, if you permit, I will read. Under the census every house is registered and that can be taken as the basis. Every family for the census purposes is defined as a number of persons living together and eating together in a common mess together with their dependents. That can be taken as the basis. Every family will have the option of selecting its own man. If it is not done, the village authorities will enter the name of the owner or the taxpayer.—May I just ask what is going to happen about the joint families? That would only give one voter for possibly 10 or 12 adults?

77. The answer to that is that we have to choose between two evils. Are you prepared to sacrifice the interests of the poor agriculturists for the interest of the joint families? Would you protect the interest of those who are lower in the rank and make them equal to the big?—Surely a good many of the labourers live jointly.

As regards that I must point out that I have provided for a literacy qualification. That would bring in about another 3 lakhs of voters on the list.

78. *Major Milner:* Admittedly, as you have stated in your memorandum, the increased electorate, if your proposals were adopted, would be largely drawn from the same class of persons?—Yes.

79. If the reduced land revenue qualification of Rs. 4 as suggested by Sir John Kerr is adopted, the same principle would apply?—Yes, but I think—I am speak-

* The information was subsequently furnished, but has not been printed.

ing from my own experience,—a very considerable number of people who earn a greater part of their living as labourers but do hold small pieces of land will come in.

80. But a very very large number—many millions—would not be brought in ?—Quite a number would not be.

81. And the principle would still be property and I suggest that property instead of being the cornerstone is absolutely the negation of democracy ?—Shall we say that it has been the mother of democracy ?

82. You advance numerous arguments for not increasing the electorate beyond 10 per cent. The first is the economic condition and the low educational standard of the bulk of the population. Do you still adhere to that ?—As I have just said in reply to Dr. Ambedkar I think there would be a very serious risk if you do enfranchise so many straight off.

83. What risk ?—Irresponsibility.

84. But you have said that those who would be enfranchised would be equally intelligent ?—Under our scheme. I said the remaining 90 per cent. cannot take an intelligent interest in voting.

85. There is no line of demarcation between the two ?—I differ.

86. What is the line of demarcation ?—The 90 per cent. have not got any stake in the country.

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87. I suggest to you that the economic conditions are largely regulated by legislation ?—No, they are entirely social in this country.

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88. You don't advance any reason other than your fear of irresponsibility ?—That is a real fear.

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89. Another reason you give is the fact that the Municipal Corporation of Bombay and the Legislative Council have declined to broaden the franchise. Why have these bodies declined ?—Because they are honestly afraid of a very rash financial policy being followed by these people.

90. Is it not the real truth that those in power now want to retain the power and do not want to hand it over to others ?—That is human, to a certain extent. There is also the real danger that they have realised—that these people have not reached a stage where they can comprehend the real financial problems.

91. Do you suggest that in Great Britain the electorate, for whom I have the highest regard, understands the financial issues ?—No, I don't think they do, and that is the pity of it.

92. You consider that the group system would be unworkable. May I respectfully suggest to you that that is one method of bringing in those classes of people who would otherwise under your proposals be disfranchised. You say that the difficulties of keeping the group register up to date are great and you seem to imagine that someone would have to go round week by week to keep the register up to date ?—I would not say week by week, but certainly year by year.

93. Would there be any great difficulty in getting officers for that ?—You must remember that we get no help from the people themselves in this country. In England the parties see to this. The average people here won't care whether they are in the group or not. We will have to keep our office people going round from house to house in every village at least once a year, if not every six months. It will mean a tremendous job to find out who the representative is in a particular house and who is the adult member.

94. You would have to do that ?—Absolutely. It would be a census practically every year.

95. You can lay the obligation on some one. You can make the Talati responsible as proposed yesterday for the identification of voters and he looks after four or five villages. Is there any difficulty in sending the Talati round and asking him to make all the changes in the register that may have taken place ?—It would have to be a census once in five years.

96. How often is the census held ?—Once in 10.

97. What period does it extend over ?—Roughly 2 years.

98. How long do you think it will take to ascertain the heads of households ? Could that be done in 3 months ?—In the mofussil it would take anything up to 3 or 4 months, but in Bombay, I think, it is impossible.

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99. Have you got any figures showing the percentage of people who do vote on the present franchise ?—We have got figures.

100. Could you tell me roughly what the figure is ?—It is about 37 per cent.

101. I suggest to you that that is a very substantial figure indeed. That is what is expected in the most advanced and, I would say, well-educated and organised democracies ?—That is on account of the percentage being much higher in the urban areas than in the rural areas.

102. That might be. I see you bring in the Returning Officers in support of your arguments. Who are the Returning Officers as a rule ?—The Collectors.

103. Have you been requested to furnish us, for a sample district, with the number of officers that may be available to act as Presiding Officers and polling officers, etc. Might I ask with regard to this when you were asked to furnish that nformation ?—The day before you arrived.

104. And may I suppose that that information will be forthcoming soon ?—If we have that information here, we can give it in a day or two, but if we have got to go to the Returning Officers, it will take a fortnight.*

105. *Diwan Bahadur Ramaswami Mudaliyar :* With reference to the number of voters that your proposals will enfranchise, I should like to know the division between the Presidency proper and Sind. I should like you give me an idea of the urban voters whether they are in urban constituencies or in urban areas in rural constituencies, and similar information about rural voters for Sind and Presidency proper separately ?—I will get you that information. *

106. *Mr. Bakhale :* One of the objections raised by the Bombay Government against increasing the percentage of enfranchisement is the restricted character of the franchise in local bodies. In Bombay, for example, you say it is only 10 per cent. of the population that has been enfranchised ; the percentage of voters in all other Municipalities is about 18 per cent. and that in the local boards it is only 8 per cent. You seem to draw an inference from this that it will not be feasible for us to increase the franchise for the Council ?—I think the argument is that doubtless the local bodies and members sitting are supposed to be the representatives of the people and that they know what the people want.

107. You have given us the percentages of the enfranchised population in Bombay, other municipalities and local boards. In Bombay itself you say it is only 10 per cent. while in local Boards it is only 8 per cent. Taking this analogy a little further, do you think it will be harmful if we extend the franchise for the Council a little more than these percentages ?—Well, we propose to halve it in all the municipalities, that is to say, from a rental of Rs. 10 to Rs. 5 monthly in the case of Bombay and from Rs. 60 to Rs. 30 yearly in the case of Karachi and in districts

* The information was subsequently furnished, but has not been printed.

from Rs. 3 to Re. 1-8. Re. 1-8 will bring in a very large number. Even in Bombay the reduction to Rs. 5 rent would bring in a very large proportion of the unrepresented labour. That is the opinion, I know, of the Director of the Labour Office.

108. Even then the percentage of the enfranchised population will be only about 10 per cent. for the local Council ?—10 per cent. on the property franchise.

109. There is another small point which I would like to draw your attention to. That is as regards the bill to lower the municipal franchise. You know that the bill was defeated because the amendment in favour of adult franchise was adopted by the Council ?—Adopted by the Council ?

110. On the first reading. Originally the bill was for reducing the rental from Rs. 10 to Rs. 5. Then an amendment in favour of adult franchise was tacked on to it. It was carried on the first reading and the bill as amended was put up for the second reading and it was only on the second reading that the whole bill was negatived ?—As you know there is a history behind it.

111. I know that, but that is a fact ?—Yes.

112. There is another small point, about labour being a shifting population. You said in answer to Major Milner that the mill hands constantly keep on shifting. May I draw your attention to the Bombay Government's statement to the Royal Commission on Labour in which they have definitely stated that the mill-hand population is becoming steady ?—It is much steadier than it was, but it still shifts.

113. A very small proportion have not settled. Will you still assert that it keeps on shifting ?—I still maintain it and I know Mr. Gennings is of the same opinion.

114. *The Chairman :* The Chairman of the Provincial Committee said that the educational qualification proposed by the Franchise Committee would have a gradually increasing effect on the disparity in voting strength between urban classes and the rural classes ? Can you tell us whether this is so ?—Certainly it will increase the disparity. It would add to the urban voters considerably.

115. *Syed Munawar :* If widows are enfranchised, a greater proportion of the advanced classes will get the franchise as compared with the backward and depressed classes who will be at a very great disadvantage. The Bombay Government recommended the enfranchisement of widows ?—That might be a disadvantage.

116. *Rao Bahadur Angadi :* Regarding the distribution of voting power among the different classes, would grouping give the depressed classes voting power commensurate with their population ?—I think grouping is the only method of introducing the franchise among the depressed classes. If the depressed classes are to have a separate electorate, then their interests will be safeguarded whatever their qualifications may be. Again if they are given so many seats, whatever their qualifications for voting may be, so long as they have sufficient representatives, there is an end of the matter.

117. *Rao Bahadur Asavale :* Supposing we keep the present franchise in the municipal areas but extend it for the rural areas, will it not tend to reduce the disparity ?—Obviously. But it will also keep enormous proportions of the poorer inhabitants unenfranchised.

118. I am making exceptions in the case of the cities of Bombay and Karachi—If the franchise is lowered from Rs. 3 to Re. 1 a considerable number of people will be enfranchised.

119. What objection have you to applying the group system to particular classes ?—Personally I do not think there can be any objection to that. But the Government are against the whole system of grouping.

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120. *Rao Bahadur Kale:* You objected even to degree-holders being enfranchised on the ground that they would be otherwise enfranchised. If they have no property qualification, how will they be enfranchised ?—If they have no property, they will be income-tax payers.

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121. *Mr. Koreishi:* Can you give us the average size of a constituency for the legislative council ?—Yes. I think there is a certain amount of complaint about it on the ground that it is too large.

122. *Mr. Jadhav:* Supposing the franchise is reduced to Rs. 4, will it enfranchise the agricultural labourers ?—I think some of them will be enfranchised. In one of the districts they are a migrating population working for one season or about 9 months in one place and then leaving the place for another.

123. Will that enfranchise fishermen ?—I doubt it.

124. Artizans, village smiths and so on ?—Possibly so, because some of them hold lands extensively.

125. Chamars ?—They also hold lands. They are well-to-do people now.

126. Mangs ?—No.

127. If the educational qualification is introduced, will it not be possible to give adult franchise to the advanced communities ?—Practically.

128. I want to know whether each labourer in Bombay hires a room ?—Not always. Sometimes eight men occupy one room, as Mr. Gennings mentioned the other day. That is almost the rule in Bombay chawls.

129. You said in reply to a question that whenever during the last 20 years any proposal was made in the Bombay municipality for lowering the franchise it was voted down. What was the reason for that ?—To put it on the highest ground I think it is due to the fear that any such reduction would introduce a class of voters lacking in a proper sense of responsibility.

130. Will you tell us why a recent Bill which was intended to reduce the qualification to Rs. 5 was defeated in the Legislative Council ?—I know the reason, but I would prefer not to give the answer in public.

131. *Mr. Haji:* You have had experience of village panchayat elections ?—Yes.

132. You know that they are influenced by the village headmen and the village sowcars ?—Very much.

133. So, if the group system is introduced in the villages, these village sowcars and headmen will exercise a great influence ?—Yes.

134. This system will only multiply the votes of sowcars and headmen ?—There is no doubt about it. There is that danger.

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135. *Mrs. Subbarayan:* I see that this Government is opposed to the proposal to enfranchise the wives of property owners for two reasons. One is that it is estimated that over a million wives will be entitled to vote and if this number was added to the total of the other voters, the total electorate would come to 3 millions or perhaps more. What is the objection to having three million voters ?—They do not want to enfranchise more than 10 per cent. of the population.

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The Chairman: The Government have stated that it is objectionable to enfranchise more than a certain percentage of the population.

Mrs. Subbarayan: More women can be brought on the roll and special provision can be made for the purpose.

The Chairman: They have given their reasons against it.

136. *Mrs. Subbarayan :* I know they have stated that if franchise is lowered, the lower classes with no sense of responsibility will come on the roll. But why should women suffer ? If you bring in women of the propertied class there can be no question of the lower classes with no sense of responsibility coming in and so on. That being the case, why not increase the number of women voters in that way ?—I do not think we can so increase.

137. *The Chairman :* The Bombay Government are opposed to enfranchising wives and widows. Can you give us any estimate at all of the number of women who will get votes under the property qualifications ?—It will be very difficult to give that information.

138. We got a rough estimate of this number as regards the Madras presidency. Can you give us a rough estimate at least ?—The difficulty is that Hindu widows have no property. Anyhow, I will try to give you the figure.*

139. What is the number of adult literate women under the last census ?—1,65,000.

140. *The Hon'ble Mary Pickford :* I see that the Government is against any method of co-option of women to the Council in the event of their not being elected in the ordinary way ?—Yes.

141. Are the Government against co-option or are they against any method of representation for the first two or three councils when it is unlikely that women will be elected from general constituencies ?—They object to co-option.

142. Did they think of any other method for securing the representation of women in the Council ?—No.

143. Other methods than co-option have been suggested in other provinces. Perhaps they may be considered ?—Certainly if you will let me have those proposals.

144. In many castes, men have more than one wife ; and if a man has more than one wife, he is sure to leave more than one widow ?—Not always. (Laughter).

145. *Mrs. Subbarayan :* There is a certain amount of objection on the part of women themselves—though no doubt based on sentimental reasons—to have a vote because of their husbands owning property. They would like to have a vote because of their own right. Do you think it would be possible to introduce a mere literacy qualification only for women ?—I think it will be very difficult, because you can hardly say whether a candidate who claims to be a voter is literate or not. If we want to test a voter for registering the name on the rolls, it is difficult.

146. If she writes a letter, she can be registered.—She will have to write it in the presence of some person.

147. Say a Justice of the Peace or an Inspector of Schools ?—If it is done like that, it will be possible. But it would be a cumbrous way.

148. What are the polling arrangements you have now ?—So far we have had no separate polling arrangements at all.

149. The women of the Bombay City are more advanced than women in rural parts ?—If you had told me five years ago that you saw high class Guzerati ladies marching in the public streets, I would have said it was impossible. Now we see thousands. When they march in public streets and picket shops, I do not think they would have much compunction in voting in polling booths. A great deal has happened in the last two years.

150. Then as regards representation, has there been a woman on the Bombay Legislative Council ?—No. But in Bombay City, two ladies succeeded in the elections. One came out at the top of the poll and one came out second. They marched in with the men.

151. Has any woman contested any general constituency ?—Not as far as I know.

* Subsequently received, but not printed.

152. Have there been any women on the local bodies or councils other than the Bombay Corporation ?—Yes.

153. Nominated or elected ?—Elected, some of them. There was one lady who was elected the other day as the Chairman of the Education Committee in Khandesh district. She was elected Chairman of the Education Committee of the Local Board.

154. It is stated that the Government of Bombay are of opinion that the existing qualifications for women are suitable and should be retained. That means that the voting strength of women is not to increase and the existing disparity will continue ?—Yes.

155. Does not the Government think it desirable to increase the voting strength of women ?—The difficulty is to find a method of doing it. They do not want to lower the franchise.

156. Did the Government take into consideration the fact that the disparity between the voting strength of men and women will continue ?—Yes.

157. And with regard to the Council of State too ?—Yes.

158. There is one point in the statistics which I cannot understand. May I draw your attention to it ? I was under the impression that women did not have the vote for the Council of State. But you give us the figures of women voters for the Council of State.—I am very sorry that is a printer's error.

159. You have even given the percentage of women who voted.—It is wrong too. We sent a correction, I think. It is a clerical error.

160. *Mr. Tambe:* In the last sentence but one in paragraph 13 it is stated thus : ' It is estimated that about 538,530 widows would be enfranchised as a result of this recommendation.' How did you arrive at this figure ?—We took them as about one-tenth of the adult female population.

161. Is that a guess work ?—More or less. You cannot get the accurate figure.

162. You say that the franchise should be extended only to all widows whose husbands at the time of their death had a property qualification to vote. You do not say who were registered as voters ?—No.

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163. *Mrs. Tarabai Maneklal Premchand:* If the idea is not to enfranchise more than ten per cent., then why are you lowering the property qualification in all other cases, leaving aside women ?—The only difficulty is their number, if you enfranchise all the wives and widows. Or, if you enfranchise the wives and leave the widows out, you will still have a very large number, and the Government do not want to go beyond ten per cent.

164. Is it not making a difference between the sexes ?—Possibly.

165. *Sardar Mutalik:* Why is it that the Bombay Government have recommended the franchise for widows, who derive that right from their deceased husbands, and refuse the same privilege to wives ?—I think I have already tried to explain that the inclusion of wives would add a very large number to the electorate, and Government are not prepared to face such an increase of the electorate. That is the main reason. They wanted to give certain representation to women and the easiest way seemed to them to be to enfranchise widows. Some of them are keen on improving the status of women.

166. It is a matter of convenience and not of principle ?—Largely.

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167. *Mr. Haji:* You say that by giving votes to the widows the Government would raise the status of women. The Government must explain how they are

raising the status of women by giving the vote to the widows ?—It would raise their importance in the family.

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168. Suppose you give the vote to wives and not to widows ?—That would lead to a very large increase ; nearly double.

169. Can you give us an idea of the numbers ?—In place of 538,530 we may have a million.

170. What would be the percentage ?—It would raise the percentage to 17.

171. Therefore for this extra percentage of voters, the Government is not prepared to allow the privilege ?—I am not authorised to give the Government's view.

172. *Diwan Bahadur Ramaswami Mudaliyar :* Instead of enfranchising widows have the Government considered the possibility of enfranchising the wives of the present Legislative Council voters ?—The objection to that from the Government's point of view is that it would add very largely to the electorate if the wives of voters now qualified are enfranchised.

173. The difference would not be greater than what the Government propose. Your present voting strength is about 800,000. The wives of those who are so qualified would not come to more than 600,000. That is not very much more than the figure you have proposed ?—But that is on the present franchise. You have got to take our reduced franchise.

174. My proposal is that so far as the wives are concerned, they may be wives of those qualified under the present franchise.—That would be extremely difficult to work out.

175. Supposing for the Federal Lower House we recommend that the franchise should be lowered to the extent of the present Legislative Council franchise, in that case there would not be any difficulty ?—No difficulty then.

176. Then do you consider the possibility of wives of the present Council voters being given the vote for the Federal Lower House ?—The Government will consider that.

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177. *Mr. Tambe :* In the matter of securing representation of women the point whether multi-member constituencies with cumulative or restricted vote will not secure representation for them, may be considered by the Government ?—Yes.

178. *The Chairman :* About the depressed classes, I would just point out to the Committee, as I have pointed out to the other Committees, that we are not going to settle whether depressed classes are to have representation by separate electorates or joint electorates. Therefore I will rule out of order any discussion on the merits of this question. But we have got to find out what sort of representation any proposal is likely to give them in the Legislature. The Government have proposed separate electorates, but they have not mentioned any number of seats, say in a House of 200 members, and what is to be the maximum they would allot in those separate electorates. In other provinces some proposals have been made. They say ' We would allot so many seats '. Has the Government considered that ?—I am afraid they have not.

Dr. Ambedkar : I thought that was also outside our consideration.

The Chairman : We have got to say what the effect of the proposal would be on the representation. We were under the impression that the question of allocation of seats is outside our enquiry, and made no recommendation on that.

179. *Dr. Ambedkar :* I would like to ask a question or two about the franchise qualifications from the standpoint of the depressed classes. I take it that on the property qualification that was proposed the number of voters from the depressed

classes would be about 30,000.—It might be a bit more. The present number is 29,928, and I should think possibly it may be doubled.

180. Therefore the substantial proposal of the Government will bring in a larger number of depressed class people under the proposed qualification, namely, to enfranchise officiating village servants useful to Government. Is that not so?—That is the recommendation of the Provincial Committee. Government did not make that suggestion.

181. What does the Government propose then?—They have not made any definite proposal for any separate qualification.

182. Is it the view of the Government that that is an adequate franchise for the depressed classes?—Numerically, no.

183. I should like you to ask the Government to consider another point. There are certain communities among the depressed classes, like Mangs, who are economically so poor that they may not come in the electorate proposed.—I am afraid so. They have not got any *inam* lands at all.

184. The Government also does not accept the 'officiating village servants' qualification. Therefore all that population will be excluded?—But it is a question whether the inclusion of inferior village servants would really be an advantage to the depressed classes.

185. Assuming that you make no provision beyond the property qualification, the point that I wish to suggest for consideration is that among the depressed classes there would be a very large number of people who would not come within the electorate.—That is true. They would not have the right to vote. They will have to be represented on the Council and given a certain number of seats.

186. Therefore the representation would go only probably to one community?—May. Chambhars may get it. It may go to one or two or three communities mainly.

187. The other communities would have no chance of influencing the election?—Possibly.

188. That is hardly a fair system.—But it is very difficult to devise any system, apart from adult suffrage, which is going to solve any of these problems.

189. Mr. Gordon yesterday suggested that instead of this 'officiating village servants' qualification, the holding of an *inam* land as service *Watan* might be taken as a qualification. That is, mere assessment is made, but no payment. *Inam* land is assessed for the lower classes at a certain rate, but they would not pay the assessment. Would it be possible to say that the assessment would be taken as a qualification?—I heard Mr. Gordon say that. It seems to me there would be difficulties because so far as my recollection goes, the *Mahar inam* is held collectively by the serving men. It is held collectively when the men are actually doing the service. Each of them gets a share; and it would mean, possibly in some cases, that one man only would get the vote. In other cases they would not practically get it.

190. From that point of view is it not desirable to adopt some sort of group system, at any rate for the depressed classes?—Personally I think it may be workable but Government are officially opposed to the group system and they must be convinced.

191. *Diwan Bahadur Ramaswami Mudaliyar:* Seeing that the Prime Minister is anxious to bring, as far as possible, every community on to the electoral roll in proportion to its numbers, have you considered the possibility of having differential franchise qualifications for the various communities?—No.

192. Has your Government considered the possibility of different qualifications for the different classes?—No.

193. Supposing you were to enfranchise everybody who pays any sort of land assessment from among the depressed classes, have you any idea of the numbers

that would be brought on the roll ?—I cannot say off-hand. I could give the figures* in about a month.

194. Under the present proposals I understand about 30,000 would be enfranchised ?—At present there are 29,928; possibly that may be doubled or there may be 50 per cent. more.

195. Whatever it be, it would be a very small number, below one lakh ?—Yes.

196. If separate electorates are adopted how would the constituency be framed on the basis of separate electorates ? That means that the voters in each constituency would be separated from the others; have you any idea of the extent of the area or the number of voters in each constituency ?—The figures are given in the statistics.†

197. It gives a definite idea there that the villages are so scattered that there would not be more than two or three voters in every village ?—Yes, in the small villages but not in the big villages.

198. Have Government considered the difficulty of candidates working in a scattered electorate for a separate constituency ?—No, they have not.

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199. *The Chairman :* You have given the figures with regard to enfranch isement in the blue book ?—Yes, they are all here; for Bombay city they are not available; for Karachi they are not immediately available; for Ahmedabad city the existing number of the depressed class voters is 4,585 and the proposed enfranchisement is 5,915, that is to say, 9·12 per cent. of the depressed classes. For Surat city the existing electorate is 475, under the new enfranchisement 973, that is, 6·51 per cent. of the depressed class population. For Sholapur city, 177 and 270, that is, 1·38 per cent. For Poona, 772 and 1,544, that is, 3·0 per cent. For Ahmedabad district we have not got the revised figures; the existing figures are 4,246 representing 17·30 per cent. of the depressed class population.

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200. *Rao Bahadur Asavale :* You would like the depressed classes to be represented on the population basis ?—As far as possible.

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201. *The Chairman :* In one or two answers to the questions, Government propose the reservation of seats for Mahrattas. You contemplate then a certain number of multi-member constituencies. Could you say on what basis the voting would take place in the multi-member constituencies ? Do you propose the single vote or the cumulative vote ?—It is all in the general electorates. There is no need to change the present system.

202. *Diwan Bahadur Ramaswami Mudaliyar :* Has the Government any proposals with regard to the number of seats to be reserved for non-Brahmans in this province ?—It is only for Mahrattas.

203. I mean the number of seats in the future Council ?—Government propose to keep practically the same proportion.

204. Has there been any agitation from other parts of the province that there should be some sort of reservation for Lingayats ?—They can stand on their own legs.

205. Is there a single member constituency marked out for the Mahrattas ?—There are three such constituencies electing by rotation.

206. There is no cumulative voting ?—No.

* Subsequently received, but not printed.

† Not printed.

207. *Mr. Butler:* You are aware that in the Government statement, reference is made in connection with the representation of labour through Trade Unions to a letter from Mr. Kirpalani in which he says "the system, as will appear from the above description, cannot be pronounced a success"?—That is his opinion.

208. He also says "it appears that sufficient interest is not taken by the workers themselves in the scheme of election" ?—Yes.

209. And he makes various other remarks and in spite of that the Government consider that this is the best scheme ?—Frankly, there is no other scheme. I don't think the Government think it a good scheme. Trade Unions have reduced considerably. A few years ago the members would total one lakh; to-day the present total number of all the registered Trade Unions in Bombay is approximately 10,000 and that 10,000 will, I admit, elect representatives of labour the total number of whom in Bombay, taking skilled and unskilled, is approximately a quarter of a million; but we can find no other method.

210. If a better scheme can be devised you think the Government will reconsider this decision ?—Certainly; they will consider any scheme which can be put up.

211. *Mr. Bakhale:* You have just said that the total strength of the Trade Unions was not more than 10,000. The Indian Seamen's Union alone at the end of the year 1930-31 showed a membership of 24,000 ?—Yes, how many of those have paid their subscriptions? A large number are shown on the rolls and when the Registrar goes into the books he finds that the vast majority have never paid subscriptions and for the purposes of an electorate you would not get more than 50 or 60 per cent.

212. This particular Seamen's Union collected Rs. 74,500 ?—50 or 60 per cent. of those men are never in Bombay and they would not count very much as electors.

213. Mr. Kirpalani in his statement* also referred to another matter. He said that out of the four members elected by the Electoral College, three were outsiders and only one was a worker which is not a fact ?

The Chairman: We are going to get the Municipal Commissioner as a witness.

Memorandum submitted by the MUSLIM PARTY OF THE BOMBAY LEGISLATIVE COUNCIL.

1. We fully agree with the views expressed by the Franchise Sub-Committee of the Indian Round Table Conference that the ultimate goal in the sphere of franchise, should be adult suffrage, but as it may be impracticable at present, owing to various circumstances, the present franchise be so revised as to bring at least 10 per cent. of the total population on the electoral roll of the Provincial Legislature. Our recommendations will be mostly based upon the general principle recognised by His Majesty's Government, "so to widen the electorates that the legislatures to which responsibility is to be entrusted should be representative of the general mass of the population and that *no important section of the community may lack the means of expressing its needs and its opinions*".

Having this principle in view our recommendations will mainly embody proposals for the enfranchisement of every important section of the community and not merely widening in one direction to the entire exclusion of the other. The following proposals will ensure enfranchisement of not less than 10 per cent. and not more than 25 per cent. of the total population in the Presidency of Bombay.

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* *Vide* his Note printed at page 209.

8th March, 1932.] Memorandum by the MUSLIM PARTY OF THE BOMBAY LEGISLATIVE COUNCIL. [*Continued.*

1. Generally speaking if the property qualification as described in paragraph (c) of question No. 2 is going to be strictly applied to, more than 10 per cent. of the population will be enfranchised, but the danger is that besides exceeding the 10 per cent. ratio, many a distinct section of the people of the Province will go without a right of vote. For instance "property" is described to include only ownership of landed or house property, receipt of income or wages. This definition of property does considerably embrace the agricultural labourer and industrial labourer, but it excludes communities like fishermen, cattle breeders, etc., etc., who have no fixed place of residence, though they are by no means a negligible community in the economic life of the province.

So far as specific recommendations are concerned, the following steps are suggested:—

1. All land owners or lessees of land paying an assessment to the extent of Rs. 2-8-0 as land assessment.

2. All cultivators of land who have cultivated a fixed portion of land measuring 5 acres within any of the 3 years previous to the date fixed for the preparation of the electoral roll.

3. All those persons living in the rural areas, except those falling within the purview of clauses (1) and (2) above, may be enfranchised if either they possess immoveable property worth Rs. 100 or pay a rent of Re. 1 or receive an income of Rs. 15 per month.

4. All those persons who pay grazing fees for their cattle to the extent of Rs. 5 to the Forest Department or Revenue Department within any of the 3 years previous to the date of the preparation of the electoral rolls.

5. Any person who owns a boat worth Rs. 50 may be enfranchised.

6. All those persons who pay any local tax not less than Rs. 2-8 within 3 years previous to the preparation of the roll, to any local Body like the Sanitary Committee, Taluka Local Board, District Local Board, Notified Areas, or Municipality, etc., etc.

7. So far as towns are concerned any one living in a town may be enfranchised who owns a building or a piece of land worth Rs. 200 or pays a monthly rent of Rs. 2 or has an income of Rs. 20 per month.

8. All those who have been members of any Local Body constituted under any Act of any Legislature in India.

9. No one shall be entitled to vote if he is either under the age of 21 years or does not own or possess property in his own name or does not pay rent or tax himself or does not carry out agricultural or industrial labour personally, or does not receive any income in his own name.

10. The qualification for a voter living in the City of Bombay may be reduced from Rs. 10 to Rs. 5 monthly rental paid by him.

1. (*b*) Yes. We do consider that the exercise of the right of vote is bound to create requisite appreciation of such right and proper use of the same. Until that right is conferred and people have been given opportunity to make use of their vote, they cannot be expected to know the value of the same.

(*c*) Yes. We do consider that such an electorate would be administratively feasible, though apparently some difficulties might appear to bar the way in the beginning. Same volume of difficulty will not confront at the subsequent elections. It will decrease with times, as in our opinion, people will come forward to help the Government in the preparation of rolls as they do now at the time of the census proceedings. The whole nation should help and shall help.

(*d*) Does not arise.

(*e*) In our opinion the above suggestions will lead to the expansion of the franchise beyond which it is not practicable in the present circumstances. Our suggestions might enfranchise more than 10 per cent. of the population and less than 25 per cent.

(*f*) No. We do not consider the proposition as administratively or otherwise feasible, as this will involve candidates in double election, which is not desirable. Moreover, villages are not homogeneous units, having also various kinds and creeds of people inhabiting them. This will also militate against the principle of maintaining touch between the candidate and his constituency.

(*g*) Does not arise.

(*h*) (*i*) (*j*) Do not arise in view of reply to (*f*).

2. (*a*) Yes. We think that India being mostly agricultural country, the bulk of its population live in rural areas and their interest being closely entwined with the economic development of the country as a whole, the rural people should get their voting strength corresponding to that of their numbers. This could be achieved by the lowering of the franchise as suggested in reply to question 1 (*a*). It will be remarked that we have suggested almost double the property qualification in the case of an urban voter as compared with the rural. We cannot suggest further decrease in the rural qualification nor further increase in the urban qualification owing to various other reasons not necessary for being recorded here.

(*b*) Yes. We emphasise this in the strongest terms possible and we believe that this is the only way to maintain the balance of power between the various communities inhabiting this country. This could be achieved by lowering the franchise as suggested above. If anywhere it is found that in spite of putting the above proposals in practice the voting strength of one community is not going to correspond with the ratio of their population in the Province, then the Franchise be still lowered in their case until the requisite result is achieved. This, of course, will not be always possible in the case of Depressed Classes, whose voting strength cannot correspond with their numbers, until adult franchise is established in this country. As adult franchise is yet far away, Depressed Classes should be satisfied with the lowest qualification prescribed for any community in the Province. This will maintain uniformity of procedure also so far as the preparation of the roll is concerned.

(*c*) Yes. Property qualifications as described in this clause is a very wide term which embraces a considerable portion of the population leaving some who have been mentioned by us in answer to question 1 (*a*) above. We are fully in agreement with the principle that in the case of Provincial Legislatures ownership or possession of property as defined in this sub-clause is the most proper form of qualification.

(*d*) No. The franchise qualification as described above is so wide that there is no necessity of adopting educational qualification.

(*e*) Yes. Military qualification may be maintained. We also favour the suggestion as regards Auxiliary and Territorial Forces.

Women's Franchise.

3. (*a*), (*b*) and (*c*) Any women possessing a qualification similar to that of man, may be enfranchised. Women may be co-opted to the extent of 2 per cent. by proportional representation. No educational qualification be applicable in their case.

4. We agree that Depressed Classes should be invested with the right of vote and that they should elect their candidates through separate electorates. It is

absolutely essential for the social emancipation of the Depressed Classes that they should have a distinct identity in order to develop their individuality which is non-existent at present. We cannot say which of the communities should be included in the Depressed Class community. It should depend on each community to signify their desire which side they wish to identify themselves with.

5. and 5 (*a*) We are not in favour of retaining any special interest, but however if it is thought advisable to give representation to some interests, then we recommend all the special interests existing at present may continue in the same proportion as they are at present.

II.—FEDERAL LEGISLATURE.

6. (*a*) In general we do not approve of the proposal to hold indirect elections through Provincial Legislature only, as this principle is likely to militate against the very purpose for which the Upper Chamber is created, namely, to exercise a sobering effect upon the section of the Lower House mainly consisting of mass elements likely to pass hasty measures to the detriment of the general tax-payer.

As the Provincial Legislatures will be drawn from the same channels as the Lower House of the Federal Assembly, they cannot elect people who will exercise any sobering effect upon the tendencies of the Lower House. We are, therefore, of opinion that elections to the Upper House should also be held directly as at present through separate electorates.

(*b*) In our opinion the qualification for voters of the Federal Legislature should remain the same except in cases where property qualifications are required, the property value should be double that of Provincial Legislature. This method will, by reducing the size of the electorate to some extent, make it more wieldy and practicable and at the same time will avoid confusion entailed by variety of qualifications.

(*c*) We entirely agree that the opinion expressed by the majority of the Federal Structure Committee that the election to the Lower Chamber of the Federal Legislature should be by territorial constituencies consisting of qualified voters who would vote directly for the candidate of their choice. In order to meet the difficulties created by the enormous size of the constituencies the only remedy is to increase the number of members for the Federal Legislature and by making as many single member constituencies as possible so as to maintain contact between the elector and the elected. In our opinion 300 members should be returned to the Lower Chamber of the Federal Legislature. Bombay Presidency, will, however, not be satisfied with the number of seats allotted to it in the Schedule. It must on account of its importance get as many seats as other major Presidencies. In no case should there be indirect election to the Lower Chamber.

7. With regard to the question of representation of women, Labour and Depressed Classes in the Federal Legislature our views are the same on this as expressed with regard to the qualification of these interests in the Provincial Legislatures as replied to Questions 3, 4 and 5.

General.

8. The working of the existing franchise and electoral rolls has created disparities and difficulties on which the representatives of the Franchise Sub-Committee of the Round Table Conference have thrown sufficient light in their speeches and on account of which it has been thought desirable to revise the old order and institute the new in accordance with the requirements of the present times. The present electorate as compared to that existing during the period of Minto-Morley reforms is considerably better and more intelligent than the latter inasmuch as it has

created an appreciation of the value of the vote and infused a spirit of public consciousness in the minds of the masses. The widening of the franchise will accelerate the results already achieved in this direction.

We may add here that it has been found very difficult by us to give answers to this Questionnaire owing to the absence of the definite settlement of the question of electorates as well as the number of seats allotted to each community. The settlement of this question is likely to lead to the modification of some of our proposals as embodied in this memorandum. In the present memorandum we have indicated the views of our constituents with regard to the question of electorates and franchise.

The life of each Legislature should be 5 years.

Mr. MIRAN MOHAMMED SHAH, M.L.C.,
Mr. J. S. KADRI, M.L.C.
Mr. HUSSAIN ALI RAHIMTULLAH, M.L.C.
} **Representing the Council Muslim Party.**

1. *The Chairman :* You represent the Muslim Party in the Bombay Legislative Council ?—(*Mr. Miran Mohammed Shah*) *:* Yes.

2. You represent no outside organization like the Muslim League ?—No.

3. Have you taken the approval of the Party for this statement *—Yes, I have submitted a revised memorandum after having taken the approval of the Party.

4. How many members are there in the Muslim Party of the Bombay Legislative Council ?—There are 27 members.

5. This memorandum represents their joint views ?—Yes, almost.

6. Almost ?—For instance, the Minister was not present.

7. I see you propose to base the franchise on a reduced assessment of Rs. 2-8-0 ? —Yes.

8. From Rs. 8 which has been suggested by the Provincial Government ?—Quite so.

9. You give a number of other proposals, that all cultivators of land who have cultivated a fixed portion of land measuring 5 acres, those who possess immoveable property worth Rs. 100 or pay a rent of Re. 1 or receive an income of Rs. 15 per month and so on should be enfranchised ?—Yes.

10. Have you formed an estimate as to how many voters that will amount to ? —All calculated we will be enfranchising between 10 and 25 per cent.

11. You can't make a more accurate estimate than this ?—We can't. We shall be approximating to between 20 and 25 per cent. Our recommendations are very wide.

12. About half the adult population will come in ?—Nearly.

13. You have had no official evidence as to whether it is practicable to poll as many as these ?—From our general experience we can say that it is practicable.

14. You have had no official evidence ?—No.

15. You are against having an educational qualification on the ground that it is unnecessary to have it if you want to enfranchise 10 per cent. of the population ?—On many other considerations.

16. What are they ?—The more we rely upon the educational qualification the more shall we be increasing the inequities and inequalities so far as the communal proportions in the legislatures are concerned. When we are going to widen the

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* Pages 324—327.

8th March, 1932.] Messrs. MIRAN MOHAMMED, J. S. KADRI & HUSSAIN ALI RAHIMTULLAH. [*Continued.*

franchise to such an extent as to include about 50 per cent. of the adult population we think that there is no necessity to have an academic qualification.

17. You will understand that we are not going to settle the communal question. I am asking this for the sake of information. When you say communal inequalities will be increased you mean that on the whole the Hindu population is better educated than the Muslim population ?—Yes, that is what I mean.

18. As far as women's franchise is concerned, you will have the same qualifications for women as for men ?—Yes.

19. You recognise that that will enfranchise very few women ?—A considerable number of women will be enfranchised and will be able to record their votes at the booths.

20. Under which of these categories would they come ? They are not property owners ?—Not very largely, but a good many own property also.

21. What are the categories under which they will come ?—They would come under the category of those who earn or get a fixed salary. For instance, those who are mistresses in the schools or who are nurses or who are private servants receiving a fixed salary of Rs. 15 or Rs. 20 per month will be enfranchised, besides those who own property.

22. You say you propose to enfranchise something between 20 and 25 per cent. of the adult population. What percentage of that will be women ?—It will be about 5 per cent.

23. You will enfranchise about 18 per cent. of men and about 7 per cent. of women ?—Yes.

24. That is your proposal ?—Yes.

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25. You would have women as 2 per cent. of the legislature by co-option ?—Yes. That will be over and above what they will get in the common electorate.

26. In other words if the legislature consisted of say 200 you would get 4 women co-opted ?—Yes.

27. Have you considered any other method of electing women than co-option ? —No other method.

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28. You are against the group system in any form ?—Yes, we are against it both for men and for women.

29. You are in favour of direct election both to the Senate and the Federal Assembly ?—Yes.

30. Not election by the Councils ?—No.

31. The proposal relates to the Upper House only ?—The consideration that weighed with us was that the Upper House is meant for the purpose of exercising a sobering influence upon the tendencies of the Lower House which is mainly drawn from the mass of the people. The object is to check any hasty legislation that may be undertaken by the Lower House. In order to keep that principle up we should draw the Upper House from constituents which really have a greater stake in the country and can really exercise that sobering influence on the tendencies of the Lower House. It is from that point of view that we have suggested direct election to the Upper House also.

32. You think that the provincial legislature is dangerously progressive ?—It may be for the time being.

33. I find that you propose in the case of the Assembly to lower the property qualification and to increase the electorate very considerably ?—Yes.

34. You suggest that the property qualification for the Federal Legislature should be twice as much as for the Provincial Legislature. That means you will have a very large electorate for the Lower House ?—Yes.

5. It will be, say, 10 per cent. of the population ?—Quite.

36. I notice that like other witnesses you say that the weightage for Bombay in the Federal Assembly should be enlarged ?—That should be because of the importance of the Presidency.

37. Is that on the ground of the character of the population or the existence of these commercial and financial interests ?—Because of its commercial importance and the character of the population as well.

38. What is your view on this proposition then—that representation in the centre may be on the population basis and weightage may be on the basis of what may be called commercial constituencies—special constituencies for commerce and industry? You should have weightage in that respect and not on population basis ?—We think first that the population should be taken into consideration and then the importance of the section of the public which requires weightage, their commercial point of view, their historical point of view and such other considerations. Then again if a section of the public has enjoyed weightage for some years, I think, that should be maintained. The commercial importance of a community should also be taken into consideration.

39. You want it on both counts really ?—Weightage is to be given on the considerations which I have just mentioned—historical importance, commercial importance and the voting strength.

40. *Mr. Bakhale :* May I take it, Mr. Miran Mohammed Shah, that your revised statement* is only a supplement to your original statement† ?—That was drafted by me and was not considered by my Party.

41. I find that in your original statement you have said that there is no need for giving special representation to labour, while in the revised statement you have not made a reference to that. May I take it that that was the position taken up by you personally ?—That was my personal view. Now, I am giving evidence on behalf of the Party as a whole.

42. Your Party does not accept the view which is stated in the Blue Book that there seems to be no case for giving special representation to labour ? —No.

43. Your Party does not accept that view ?—My party does not accept that there is any necessity for giving any special representation to labour or any other special interest. In general, they are against it. If, however, representation is to be given to any other special interest then to labour also it might be given.

44. *Diwan Bahadur Ramaswami Mudaliyar :* If the women's qualifications are to be same as men's do you think that so far as Muslim women are concerned, having regard to the fact that they have better rights of property than Hindu women, there will be more chances of Muslim women being enfranchised than Hindu women ? —I don't think there is any chance of Muhammadan women being more than Hindu women. Those that will get the vote in the ordinary course as being the occupants or owners of property, will come under the general electorate.

45. The laws of property, I understand, are different in the case of Hindu women and Muslim women and they are more favourable in the case of the latter. If property, therefore, is to be the qualification more Muslim women are likely to be enfranchised than Hindu women ?—May be.

* Pages 324—327.

† Not printed.

8th March, 1932.] Messrs. MIRAN MOHAMMED, J. S. KADRI & HUSSAIN ALI RAHIMTULLAH. [*Continued.*

46. You don't think this is one of the communal inequalities which should be remedied ?—It is not an inequality. Hindu women shall be given the same right as the Muslim women, as for instance there will be more Hindu women than Mahomedan women who will be earning their own livelihood and making their own personal property by independent efforts.

47. That cannot be done under a franchise enquiry. May I suggest that some other qualification should be found beyond a mere property qualification if Hindu women have to be enfranchised in fairly large numbers ?—I think Hindu women are more independent than Muslim women. They come out and earn for themselves ; so that they would come under the property qualification in greater numbers than the Muslim women would do.

48. You are for bringing on the electoral roll the various communities more or less in proportion to their numerical strength—according to population ?—Yes.

49. There you would suggest a differential franchise qualification for each of these communities ?—If they cannot get it in the ordinary course in accordance with the recommendations that we have made.

50. You have no objection to a differential qualification being applied ?—I have no objection provided the proportion of their voting strength corresponds to the population ratio.

51. You have said that so far as the Federal Upper House is concerned, the election should be direct. Do you seriously suggest that if the Bombay Legislative Council of the future were asked to send representatives to the Federal Upper House you would not get a certain amount of stable representation thereby ?—No, because there will be no stable representation in the Bombay Legislative Council itself. It will be drawn from the mass of the people.

52. Yes, it will be. I should like you to consider the question a little more,—I was going to say seriously,—a little more in detail. It is perfectly true that the electorate will be a very wide electorate. But it does not follow that the members who will be returned will be irresponsible men. Is it your position that irresponsible men will be returned by the future electorate ?—I can't dare call them irresponsible, but I may call them extremists, or radicals.

53. The whole of the administration of the Bombay province will be in the hands of these extremists ?—Not the whole. It depends on the strength. If the majority of those that are returned are radicals the Council will certainly be extremist in its outlook.

54. If you are prepared to hand over the administration of the Presidency of Bombay to this Legislative Council which, according to your view, will be composed of extremists, do you think you are taking a very serious risk if you ask those extremists to send representatives to the Upper House of the Federal Legislature ?—I think we should not run all extremist legislatures. Somewhere we should have a sober legislature, if not the provincial, then the central.

55. Having in view the fact that according to you the Bombay Legislative Council may be a little more wild with extremism, would you still adhere to the recommendation that Bombay should be given special weightage in the representation to the Federal Legislature ?—You have also to keep in mind the necessity, as everyone of us has, of keeping the Federal Legislature fairly stable ?—Yes, I would still recommend that Bombay should be given weightage. Weightage has got no connection with the extremist element in the provincial legislature.

56. I suppose you are now referring to the specially propertied classes, the commercial classes. I mean you are thinking of property as the possible basis of franchise for the Upper House ?—Yes, and also land-owning classes.

57. Is it your experience that the commercial organizations in Bombay contribute to the stability of legislatures ?—To some extent they do.

58. Is it your experience that during the last few years, at any rate, commercial organizations have been more extremist in their views than the ordinary general electorate ?—I don't say that so far as the representation of the commercial interests in Bombay is concerned. So far as the Bombay Legislative Council itself is concerned, they don't seem to show any extremist tendency there.

59. Is it a fact that commercial organizations who have been asked to send representatives to the Assembly have not been able to do so owing to political considerations during the last few years ?—That is only a passing phase. We cannot take it as a permanent feature of the Bombay Presidency.

60. It is an electorate composed of these commercial organizations, individuals and propertied men whom you are recommending as an electorate for producing a stable element for the responsibilities of an Upper House in the Federation ?—I think that the element of commercial people as compared to the rural people is very small. They cannot exercise so much influence upon the rest of the population. The majority will be drawn from the rural areas and they will have a preponderating influence. So that, they cannot influence the whole legislature. The big land owning classes will exercise greater influence than commercial people.

61. *Major Milner :* Can you tell us when the phase which you referred to a moment ago will pass ?—It is only temporary. It might take some months or, say, one year.

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62. *Khan Bahadur Aziz-ul-Huque :* When you are suggesting that all cultivators of land who have land measuring 5 acres would be enfranchised, are you aware that you are leaving out about 50 per cent. of the agricultural holdings ?—We must stop somewhere.

63. I can give you the actual figure. There are 2,357,522 holdings in the Presidency including Sind. Of these those less than 5 acres are 182,088. Do you think that that is a fair enfranchisement ?—That is quite fair at present.

64. When you are thinking of giving weightage in the Federal Legislature for the Presidency of Bombay are you realising its ultimate effect on the Muslim representation in the Federal Legislature of India ?—I am not realising it.

65. Will you take it from me that out of a population of about 47 million in Bengal more than half are Muhammadans. Here you form only 20 per cent. You want weightage for your province which correspondingly has to be taken out from the Muslim percentage in majority provinces ?—We can increase the number in the legislature.

66. But surely you have got to fix the number somewhere ?—We can increase the number now as we are in the melting pot.

67. I am not exactly clear about the reply that you gave to the Diwan Bahadur as to how this weightage will be distributed. Am I to understand that the weightage is to be distributed on the representation of the people or of commercial bodies ?—Representation of the people.

68. So ultimately you want the weightage which is to be given to Bombay to be distributed among the different divisions in Bombay ?—Yes.

69. I again ask you, when you want weightage for Bombay, will you require weightage for the Muslims of Bombay ?—Not for Muslims separately. The Muslims will have a share out of that, in accordance with their ratio in the local legislature.

70. Will they get a share ?—They will be given in proportion to their ratio of seats in the local legislature.

8th March, 1932.] Messrs. Miran Mohammed, J. S. Kadri & Hussain Ali Rahimtullah. [*Continued.*

71. *Mr. Tambe:* You said that your party consists of 27 members ?—Yes.

72. How many are from Sind ?—14 from Sind.

73. Your memorandum is unanimous ?—Yes.

74. In reply to a question you said that there would be inequities and inequalities if the educational qualification is to be the qualification ?—Yes.

75. If I am not mistaken, you meant to say that the Muhammadan community would be at a disadvantage ?—I was speaking then of the people of minority communities—Christians, Anglo-Indians and so on. If there are separate electorates Muhammadans won't be much affected.

76. You said that the Hindu population is more educated. The census figures of 1921 which have been supplied to us show that amongst the Muhammadans 11 per cent. are educated while amongst the Hindus 7 per cent. are educated ?—You are comparing the Presidency Muslims. You are not taking Sind into consideration.

77. So far as Bombay Presidency excluding Sind is concerned your observation is not correct ?—May not be.

78. You do not want to make any provision for special interests ?—We would like to see, when we are widening the franchise, if they can come in the ordinary way.

79. You would like to give the Europeans special seats ?—You mean commercial European interests.

80. Yes.—If you give them to European Commerce, you will have to give them to Indian Commerce and then to the Landholders and then other special interests.

81. *Mr. Bakhale:* Labour also ?—Yes.

82. *Mr. Tambe:* You say there is no need to retain the representation of special interests in these days of democracy. In these days of democracy communal electorates should be retained ?—Communal electorates should be retained, as they are not inconsistent with democracy.

83. But special interests should not be provided for ?—No, if possible.

84. *Mr. Chintamani:* In your written statement you say that the group system might also accentuate communal feelings as they are based on separate electorates ?—Those were my personal views. You may take them as cancelled. I have revised my views.

85. *The Chairman:* Will you mind explaining this point ?—You first sent in your memorandum in your personal capacity ?—Yes.

86. The other memorandum represents the collective views of the Muhammadans ?—Yes.

87. Do you withdraw your first memorandum ?—Yes. Every word of it I withdraw.

88. *Sir Muhammad Yakub :* You say that no important section of the community should lack the means of expressing its views and its opinions. What measures would you suggest to enable the important sections of the community to express their opinions ?—We have already suggested the widening of the franchise as far as practicable so as not to exclude a particular section of the community though individuals may be excluded.

89. What special measures would you suggest in order that each community may have the means of expressing its opinions ?—It should have a sufficient voting

8th March, 1932.] Messrs. MIRAN MOHAMMED, J. S. KADRI & HUSSAIN ALI RAHIMTULLAH. [*Continued.*

strength corresponding to the population ratio so that it could have an effective voice in the legislature.

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90. What are the special needs of womenfolk in this Presidency which the male members of the Council cannot look after ?—I do not know of any.

91. Is there a very keen desire among the people in the rural areas, both among men and women, for the extension of the privilege of electing members to the Council ?—Yes, there is.

92. What in your opinion should be the number of women representatives in the Council ?—We have suggested 2 per cent. co-option, and if they come through the common electorate, let them come in any number.

93. How would the extension of the franchise affect the quality of the members ?—I think more radicals and extremists will come in.

94. *Mrs. Subbarayan :* You say that there is no necessity to adopt the educational qualification because the franchise qualification prescribed by you is wide enough ?—Yes.

95. In answer to a question from the Chairman you admitted that though the franchise qualifications prescribed by you are wide, the number of women who will be enfranchised will be very small ?—Yes.

96. Don't you think that literacy qualification should be laid down for women ? —That will benefit the advanced communities like the Brahmans, Christians and Parsees to the exclusion of others who will not be able to take advantage of it.

97. If we adopt some standard of literacy qualification, it would apply to all classes ?—The ratio of literacy in some communities is so low as compared with others, that it is not safe at this juncture to base the franchise on educational qualifications.

98. You stated that under the qualifications you have prescribed, women who are school teachers and are earning money will come on the electoral roll ?—Yes.

99. But women who marry and give up their profession lose their votes ?—Quite so. But her husband will be able to look after her quite well. She should not be separated from her husband. She should look after her home (laughter) and then there will be no difficulty.

100. *The Hon'ble Mary Pickford :* Your community evidently recognises that women have a special interest and therefore it favours co-option of women up to 2 per cent.?—Yes, to some extent only.

101. Do you think that 2 per cent. will adequately represent their views, since they form nearly 50 per cent. of the population ?—In Parliament my friend tells me that women number only 1½ per cent. and if that is so in England, my offer to give them 2 per cent. representation should be considered to be very liberal.

102. Arising out of that answer may I point out to you that in England the voting strength of women is more than 50 per cent. of the population and therefore male members have to attend to the needs of the female voters. In your electorate their voting strength is only 5 per cent. Therefore it seems to me that women will have very little say and very little influence in the Council ?—I think there is no such thing as separate needs of women. As my friend Sir Muhammad put it to me men are quite able to look after the women. For example in the Bombay Council we passed the Maternity Benefit legislation in spite of the opposition of the Government and we have given benefits for a period of 5 months to women in the factories who are confined. We are quite able to look after the interests of women.

8th March, 1932.] Messrs. Miran Mohammed, J. S. Kadri & Hussain Ali Rahimtullah. [*Continued.*

103. I ask you whether you have taken any steps to find out whether women agree with your statement that their interests are the same as those of their husbands ?—Except those women who are taking part openly in the political movement, all the others consider that their primary duty is to look after their home. They agree with this view and I have ascertained it.

104. *The Chairman :* What steps did you take to ascertain their opinion ?—By coming into contact with those people with whom it is possible to do so, I have ascertained their views. (Laughter).

105. Are there comparatively large numbers of *purdah* women in this province ?—In the rural areas their number is small.

106. *Sir Sunder Singh Majithia :* In your revised Memorandum you say that if the proposed property qualification was adopted it would exclude communities like fishermen, cattle breeders, etc., who have no fixed place of residence, though they are by no means a negligible community in the economic life of the province. Am I to understand that they are a distinct community in India ?—They are a distinct community living in various parts of the province.

107. Are they not included among the landowning classes ?—Sometimes they do not cultivate land at all, but only breed cattle and supply them to the cultivators. They do not therefore come under the property qualifications.

108. They are a separate class ?—Yes.

109. And as such distinguishable ?—Yes, distinguishable.

110. Later on you say that any person who owns a boat worth Rs. 50 may be enfranchised ?—Yes.

111. Can you give me the number of people who will be thus enfranchised ?—About 50,000, I think.

112. When the boats become unserviceable, what will you do, will you remove the names of their owners from the list ?—Yes, if they abandon the boats.

113. In your memorandum you give reasons for lowering the qualifications of voters in the case of communities which are not properly represented according to the population basis ?—Yes.

114. Do you think it will create a sort of invidious distinction ?—I do not think so. In order to maintain the balance of power and to have equality of strength in the legislatures, I think it is necessary to have this distinction.

115. Do you mean to say that the number of members in the Council must depend upon the number of members of each community ?—It very often does. In the joint electorate you have got Parsis, Christians, Hindus and all sorts of Brahmans and non-Brahmans put together. If any one community has got the least number of voters, the chances of a member of that community being returned to the Council are very meagre.

116. That means only in general electorates ?—Yes. In separate electorates it is not necessary.

117. This remark of yours applies to joint electorates ?—Yes.

118. Would you draw any line below which you would not go in search of voters ?—25 per cent. I have drawn the line at Rs. 2-8 land revenue and Rs. 100 for house rent.

119. Suppose this does not give the required number of voters in proportion to your population, would you lower it still further ?—I do not mind lowering it.

120. Supposing by prescribing any of these qualifications your demand is not met, will you ask for adult franchise ?—I do not think at present we can talk of adult franchise, because it will lead to other difficulties.

8th March, 1932.] Messrs. Miran Mohammed, J. S. Kadri & Hussain Ali Rahimtullah. [*Continued.*

121. Then you will have no proper weightage ?—Unless you presume that without adult franchise there will be no voting strength corresponding to the population.

122. My question is whether you are prepared to draw a line below which you will not go in giving special qualifications for these communities ?—I think for the time being this qualification may be the minimum.

123. You would not go below that ?—That meets the need for the time being.

124. *Sir John Kerr :* In regard to landowners or leaseholders you suggest that the payment of Rs. 2-8 rent should be a qualification for the franchise. That means people holding lands directly under the Government ?—Yes.

125. Then you say that all cultivators of land who have cultivated a fixed portion of land measuring 5 acres within any of the three years previous to the date fixed for the preparation of the electoral roll may have the vote. Under this class will come people who hold lands under private landlords ?—Yes.

126. How will you ascertain their names ?—When the village officer goes inspecting the crops he will make an entry against each survey number as to who cultivated it. From his Field Book we shall be able to ascertain who cultivated that particular survey number.

127. Does this apply to Sind also ?—I am talking of the Sind Haris particularly.

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128. *Sardar Mutalik :* You are against enfranchising wives of respectable persons like the zamindars and big merchants ?—I do not think there is any necessity to enfranchise them, as the wives of at least respectable Mussalmans will not take advantage of the right of vote owing to Purdah system.

129. According to your scheme, respectable women would not be enfranchised ?—They might possess property and on the basis of that they might be enfranchised. Muhammadan law allows property for women and even though they are married they can be voters.

130. So far as towns are concerned you say that anyone living in a town may be enfranchised who owns a building or a piece of land worth Rs. 200 or pays a monthly rent of Rs. 2 or earns wages to the extent of Re. 1 per day or has an income of Rs. 20 per month ?—Yes.

131. Will that not bring organised labour on the electoral roll ?—Yes.

132. Now there are three seats given to labour. If the membership of the Council is doubled, will you give labour six seats ?—Yes.

133. Out of this you desire that some seats should be reserved for Muhammadans ?—I think it is the apprehension of Muhammadans that they will not be getting a proper share in the representation of labour. That is why they are very reluctant to recommend any increase in the seats for labour. If they too are given adequate representation they will be satisfied.

134. You desire that certain seats should be reserved for Muslim labourers ?—I think 20 per cent. of labourers are Muslims, and they should get seats in that proportion.

135. Have you any opinion to express about the upper chamber ?—We have none to give.

136. *Mr. Haji :* Are you divided on this question ?—We have not considered it.

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137. *Sardar Mutalik :* You say you are not in favour of maintaining any special representation by separate electorates. May I know the reason ?—We are widening

the franchise to such an extent that it is possible for any man to come through the common electorate.

138. May I ask you whether a landholder representing a general constituency will be able to speak on the landlords' interests independently of the mandate of the general constituency ?—He might be ousted at the next election for having done so if he is weak. But if he is able enough, he can speak.

139. Do you think he will speak against his own interest. Will it be fair ?—If he is bold enough he can represent the interests of his class and the others also.

140. Then, why should Mussalmans claim a separate electorate ?—That has no connection with this.

141. In the future constitution, will they not be benefited by the experience of these men who put forward their own views ? I mean separate electorates with a few members ?—If you want to retain them, retain all special interests.

142. Do you think there will be much advantage to the Council or not ?—Not much advantage.

143. *Rao Bahadur Angadi :* In the course of your examination you said that weightage was necessary. If so, is it not necessary in the case of a weak community rather than a strong community ?—It is necessary for the weak community.

144. Don't you think that the depressed classes who suffer a number of disabilities deserve greater weightage than Muhammadans ?—Our party has not considered the question of weightage specifically. Therefore I cannot say what weightage should be given to the depressed classes. We are not discussing here the question of weightage to various communities. With regard to the Bombay Presidency weightage should be given in the Upper Chamber. That is what we wish.

145. Coming to the special interests, is it your experience during the last ten years that any hostile legislation has been attempted by the Provincial Legislature against the land-owning class ?—I have not seen it.

146. And is it not a fact that even in the present House among the members elected there are a number of members who can be said to belong to the land-owning classes ?—Yes, because the franchise is not so wide as to permit of smaller men to come in.

147. Supposing the franchise is going to be given to 10 per cent. of the population, do you think such men can get an entry into the Councils ?—If it is raised to 20 per cent., certainly a man like that will come in—I mean one opposed to land-owning classes.

148. If it is raised to 10 per cent., there is no necessity for the special representation of land-owning classes ?—There is no danger, at least if it is raised to 10 per cent.

149. *Rao Bahadur Asavale :* You have said that Muhammadan labourers should have separate seats. May I enquire from you whether the interests of the Muhammadan labourers are different from those of the other labouring classes ?—Yes, that is what has been represented to me by those connected with Muhammadan labour in Bombay.

150. I want to know this from you. You have stated that Muhammadan labourers should have separate representation. I ask you if the interests of the Muhammadan labourers are different from those of the other labourers ?—The community's interest does differ from that of other communities, therefore, the Muhammadan labourer is not treated on equal terms with the non-Muhammadan labourer.

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Memorandum submitted by the DEPRESSED INDIA ASSOCIATION, Bombay.

In answer to the questionnaire forwarded to us on behalf of His Excellency the Governor in Council, we have been authorised by our association to submit this short memorandum containing an account of our status in political, social and economic spheres as well as a statement detailing our needs with reference to the representation of the depressed classes in the various Provincial and Central Legislatures.

The Depressed Classes form about seven crores in a population of 33 crores, a percentage similar to that of Muslims in India. Though they are classed as Hindus, they do not form an integral part of that community. They are worse than slaves. Though they form such a large proportion of the population of India they are deliberately put outside the pale of human contact.

It is not only Hindus that treat us as less than human beings but also the Muhammadans, however much these may now manœuvre to say for reasons, political or otherwise, that they stand by the Depressed Classes. But for the Christian Missionaries, and later on under the impulse of the Christian Missionary agitation, the British Government, the Depressed Classes would not have had that education, however, little it is, which they have now. Despite the boasted humanitarian sentiments of high class Hindus—the Depressed Classes remain untouchables to them. A high class Hindu might touch a donkey; a pariah dog may lick his hand; a dirty cat may eat his food; rats from the gutters may run on his bed; he might drink cow's urine or throw cow-dung in well water, he is not polluted, but an untouchable is not permitted to touch him or to look at him. Even his very shadow brings pollution to him and to his God. It is a strange state of affairs that at the sight of a Depressed Class man the God of the high class Hindus has to take a bath! The higher classes have deprived the Depressed Classes of everything that makes life worth living. They have no lands of their own; they have no house; they have no education worthy of the name; they have to live in wretched huts on the outskirts of the village. These higher classes form the official class in the Government, District Local Boards, and the Municipalities. They prevent the Depressed Classes from taking advantage of village wells, public tanks, public streets, Government Boards and Municipal Schools. Even subordinate service in Municipal and Local Boards and Government Departments is denied to them. The Police Force is tabooed to them. The Army is a close preserve of high class Hindus, Mussalmans and Sikhs. The caption—Depressed Classes are not wanted—is writ large on the portals of the Army. If the Franchise Committee could only keep before their mind's eye this aspect of the Depressed Classes problem, they will understand how far they have to go to extend the privileges of franchise to the Depressed Classes in India.

The present franchise qualifications in the Bombay Presidency are as follows:—

General Disqualification of Electors.

No person will be qualified to vote at any election, if such person—

(*a*) is a female, or

(*b*) is under 21 years of age, or

(*c*) is not a British subject or the subject of any State in India, or

(*d*) has been adjudged by a competent Court to be of unsound mind.

Memorandum from the DEPRESSED INDIA ASSOCIATION. [*Continued.*

QUALIFICATION OF ELECTORS.

1. Urban Areas, i.e., *Municipalities, Cantonments and Notified Areas.*—Every person will be entered in the electoral roll of the constituency who has a place of residence in the area or within two miles of the boundary thereof, and,

(*a*) owns or occupies a house or building paying in Bombay City an annual rental of not less than Rs. 120 or in Karachi City of not less than Rs. 60, or

(*b*) in all other Municipalities, Cantonments and Notified Areas of the Presidency proper—

1. Where a house tax is levied on the estimated annual rental value, owns or occupies a house or building of which the annual rental value is not less than Rs. 3 or in the district of Panch Mahals or Ratnagiri Rs. 24, or where a house tax is levied on the estimated capital value owns or occupies a house or building of which the capital value is estimated at not less than Rs. 1,500 or in the districts of Panch Mahals and Ratnagiri Rs. 1,000 & or

2. Where a house tax is not levied, pays municipal rates other than octroi or toll of not less than Rs. 3 per annum, or

(*c*) in the Municipalities, Cantonments and Notified Areas of Sind other than Karachi City, owns or occupies a house or building, of the annual rental value of not less than Rs. 3 or

(*d*) pays income-tax or

(*e*) is retired pensioned officer (commissioned or non-commissioned) of the Indian Army, or

(*f*) holds a qualification within the area which would entitle him to be entered in the rural roll if the area were not a Municipality, Cantonment or Notified Area.

Every person will be entered in the electoral roll of the constituency, who has a place of residence in the area and

(*a*) holds either in his own right or as tenant, alienated or unalienated land assessed at or of the assessable value of—

1. not less than Rs. 16 land revenue in the district of Panch Mahals and Ratnagiri, or

2. not less than Rs. 32 land revenue, elsewhere in the Presidency proper, or

(*b*) holds land in the province of Sind otherwise than as a tenant on which during any one of the five years preceding the preparation of the electoral roll, an assessment of not less than Rs. 32 land revenue has been paid, or in the Upper Sind Frontier District Re. 1, or

(*c*) pays income tax, or

(*d*) is a retired pensioned officer (commissioned or non-commissioned) of the Indian Army.

The qualifications of electors in other Presidencies are drawn up on similar lines. Under these franchise regulations Depressed Classes do not find any appreciable place on the electoral rolls of the various Legislatures. Government, there-

Memorandum from the DEPRESSED INDIA ASSOCIATION. [*Continued.*

fore, tried to fill up the gap by nomination. We give below tabular statements of the representation of the Depressed Classes—

(*a*) As per Muddiman Report of 3rd December 1924.

(*b*) The present representation.

(*c*) Representation as recommended by Indian Central Committee.

(*d*) Representation as per population.

(*e*) As recommended by the Minorities delegation to the Prime Minister.

As per Muddiman Report, 3rd December 1924.

Province.	Population in thousands.	Existing Representation of the Depressed Classes.	List of increase proposed.
Madras	6,372	5	13
Bombay	2,800	1	11
Bengal	9,000	1	22
United Provinces	9,000	1	19
Punjab	2,893	..	8
Bihar and Orissa	8,000	2	5
Central Provinces	3,300	2	7
Assam	2,000	1	2

The Representation of the Depressed Classes as it is at present.

Legislatures.	Total population in millions.	Total population of the Depressed Classes.	Total number of seats.	Seats for Depressed Classes.
Council of State . .	246	44·49	60	*Nil.*
Legislative Assembly .	246	44·49	145	1
Madras	42	6·50 millions.	132	10
Bombay . . .	16	1·47 do.	114	2
Bengal	45	11·50 do.	140	1
United Provinces . .	47	13·00 do.	123	1
Punjab	20	2·80 do.	94	*Nil.*
Bihar and Orissa . .	33	5·00 do.	103	2
Central Provinces . .	12	2·67 do.	73	4
Assam	7	1·55 do.	53	*Nil.*

Memorandum from the DEPRESSED INDIA ASSOCIATION. [*Continued.*

The Representation of the Depressed Classes as recommended by the Indian Central Committee.

Legislatures.	Total population in millions.	Population of the Depressed Classes.	Total number of seats allotted.	Total number of Depressed Classes.
Council of State	246	44·49	..	..
Legislative Assembly	246	44·49	273	12
Madras	42	6·50 millions.	150	14
Bombay	16	1·47 do.	114	8
Bengal	45	11·50 do.	200	8
United Provinces	47	13·00 do.	182	10
United Provinces Second Chamber.	47	..	50	2
Punjab	20	2·80 millions.	150	6
Bihar and Orissa	33	5·00 do.	150	6
Central Provinces	12	2·67 do.	120	8
Assam	7	1·55 do.	75	9
Burma	..	..	..	..
N. W. Frontier	..	..	..	..

The percentage of Representation as per Population in British India.

Legislatures.	Percentage of Depressed Classes for the total population.	Total number of seats allotted.	Total number of seats for the Depressed Classes to be allotted as per population.
Council of State	5 per cent.	60	12
Legislative Assembly	5 ,,	145	29
Madras	15 ,,	150	22
Bombay	14 ,,	114	15
Bengal	25 ,,	200	50
United Provinces	27 ,,	182	49
Punjab	10 ,,	150	15
Bihar and Orissa	15 ,,	150	22
Central Provinces	17 ,,	120	20
Burma	..	..	..
N. W. Frontier	..	..	..
Assam	15 per cent.	75	26

Memorandum from the DEPRESSED INDIA ASSOCIATION. [*Continued.*

Representation as per Minorities Pact in London, "Times of India," *14th November 1931.*

Provinces.	Seats.	Depressed Classes.
Upper Chamber	200	20
Lower Chamber	300	45
Bengal	200	35
Bombay	200	28
Madras	200	40
Punjab	100	10
United Provinces	Figures not available.	
Central Provinces		
Bihar and Orissa		
Assam		
Burma		
N. W. Frontier		

The problem of the Depressed Classes is by far the greater than that of the Muhammadans. Muslims are a compact community. In education they stand next to advanced Hindus. Economically they are as strong as the Hindus. They do not suffer from social and economic disabilities as the Depressed Classes. They have not got the stigma of untouchability which is a unique feature in the social life in India. This being so, if the Muhammadans clamour for more political powers to be given to them by means of weightage of votes in the Central and Provincial Legislatures the Depressed Classes should claim twice as much to come up to the standard of the advanced Hindus or the Muhammadans. Yet our prayer is not for weightage but for bare justice that we should be given that voting strength as is commensurate with our population. The Government of India submitted a Memorandum on the Montford Report. In paragraph 22, page 372, they write as follows :—

"If we were writing on a clean slate, we would greatly desire to establish a ratio of Muhammadan seats which would bear a closer relation with their strength as a community while amply fulfilling our undertakings to safeguard them as a Minority. In determining that ratio in the various provinces we should have to start with certain established data. In the first place, the Muhammadans have been definitely promised some electoral advantages on the ground of their political importance. We should have to measure and to fulfil that proviso. Secondly the Muhammadans are the poorer community and therefore any property qualification common to them and the Hindus will make the Muhammadan electorate smaller in proportion to the Muhammadan census than will be the case with the Hindus. In the third place the Census strength of the Muhammadans by no means corresponds to their political strength. In Bengal and Assam the Muslims are politically weaker than their numbers would indicate, while in the United Provinces with 14 per cent.

of the population they are incomparably stronger than in Bihar and Orissa with 10·5 per cent. Past history and the presence of the Muhammadan centres count for much. Fourthly it might be argued that inasmuch as a majority can always impose its will upon a minority, it does not greatly matter whether the Muhammadans in places where they are in a conspicuous minority are awarded, for example, 15 to 20 per cent. of the seats, but we think it a valid answer to observe that the effectiveness of a minority depends upon its being large enough to have the sense of not being entirely overwhelmed. Finally we should have to remember that whatever advantage is given to Muhammadans *is taken away from some other interest or interests.*"

That is just our contention. The advantages that are given to the Muhammadans were taken away from us by the Lucknow Pact of March 1917. The high caste Hindus of the Indian National Congress and the educated Muslims of the Muslim League settled amongst themselves how best to deprive the Depressed Classes of their voting strength and to parcel it out amongst themselves. The authors of the Montagu-Chelmsford Report in paragraph 21 give the figures of the actual effect of the Congress League agreement.

——	Muslim percentage of population.	Percentage of Muslim seats proposed.	Per cent.
Bengal	52·6	40	7
Bihar and Orissa	10·5	25	238
Bombay	20·4	33·3	163
Central Provinces	4·3	15	349
Madras	6·5	15	231
Punjab	54·8	50	91
United Provinces	14·0	30	214

We request the members of the Franchise Committee to read the observations made by the Government of India with regard to the Depressed Classes in paragraph 13 at page 366 of their report :—

" But there is one community whose case appears to us to require more consideration than the Committee gave it. The Report on the Indian Constitutional Reforms clearly recognises the problem of the Depressed Classes and give a pledge respecting them. We intend to make the best arrangements that we can for their representation."

The castes described as " Hindus—others " in the Committee's report, though they are defined in varying terms, are broadly speaking all the same kind of people except for difference in the rigidity of their exclusion. They are more or less in the position of the Madras Panchamas definitely outside that part of the Hindu community which is allowed access to their temples. They amount to about one-fifth of the total population and have not been represented at all in the Morley-Minto Councils. The Committee's Report mentions the Depressed Classes twice but only explains that in the absence of satisfactory electorates they have been provided for by nominations. It does not discuss the position of these people or their capacity for looking after themselves. Nor does it explain the amount of nomination which it suggests for them. Paragraph 24 of the Report justifies the restriction of the nominated seats on grounds which do not suggest that the

Memorandum from the DEPRESSED INDIA ASSOCIATION. [*Continued.*

Committee were referring to the Depressed Classes. The measure of representation which they propose is as follows :—

	Total Population.	Population of the Depressed Classes.	Total seats.	Seats for Depressed Classes.
	Million.	Million.		
Madras	39·8	6·3	120	2
Bombay	19·5	·6	113	1
Bengal	45	9·6	127	1
United Provinces . . .	47	10·1	120	1
Punjab	19·5	1·7	85	..
Bihar and Orissa . . .	32·4	9·3	100	1
Central Provinces . . .	12·2	3·7	72	1
Assam	6·0	·3	54	..
Total .	221·4	41·9	791	7

These figures speak for themselves. *It is suggested that one-fifth of the entire population of British India should be allotted seven seats out of practically eight hundred.* It is true that in all the Councils there will be roughly a one-sixth proportion of officials who may be expected to bear in mind the interest of the Depressed Classes but that arrangement is not, in our opinion, what the Report on Reforms aims at. The authors stated that the Depressed Classes also should learn the lesson of self-protection. It is surely fanciful to hope that this result can be expected from including a single member of the community in an Assembly where there are sixty or seventy caste Hindus. To make good the principles of paragraphs 151, 152, 154 and 155 of the Report we must treat the outcastes more generously. We think there should be in each Council enough representatives of the Depressed Classes to save them from being entirely submerged, and at the same time to stimulate some capacity for collective action. In the case of Madras we suggest that they should be given six seats, in Bengal, the United Provinces and Bihar and Orissa, we would give them four ; in the Central Provinces and Bombay two and elsewhere one. In these respects we think that the Committee's report clearly requires *modification.*

The Government of India thought that it would be ridiculous to give only seven seats out of 800 to one-fifth of the entire population of British India. But when they themselves came to make their suggestions they made themselves still more ridiculous. It is the proverbial mountain in labour. They forgot the principle that they applied to the Muslims and at the same time failed to give the Depressed Classes even the seats they are entitled to.

In further elucidation of the differential treatment meted out to us we give below a table culled from page 41 of the Indian Central Committee's Report

regarding Muslim representation and the Minorities Pact in London as published in the *Times of India* of 14th November 1931.

Indian Central Committee.

Provinces	Present Muslim representation in the Provincial Legislatures.	As it would be on a population basis.
Council of State	..	..
Legislative Assembly	..	..
Madras	13	7
Bombay	27	17
United Provinces	29	14
Bihar and Orissa	18	8
Central Provinces	7	2
Assam	12	11

Minorities Pact in London.

Provinces.	Seats.	Muslims.
Upper Chamber	200	67
Lower Chamber	300	100
Bengal	200	102
Bombay	200	66
Madras	200	30
Punjab	100	51
United Provinces	Figures not available.	
Central Provinces		
Bihar and Orissa		
Assam		
Burma		
North West Frontier Province		

If we keep before our mind's eye the actual strength of the Muslim population and the basis of calculation as given in paragraph 21 of the Montford Report and apply the same to the figures of wider legislatures as decided upon at the Round Table Conference the Muslims get a tremendous weightage. We have given already so many statistics in this memorandum that we advisedly refrain from giving any more. Our object in stressing on the invidious differentiation made throughout the history of the Legislatures in India is simply to show that both Hindus and Muhammadans with the connivance of the British authorities in India have simply ignored our claim for a proper share in the government of our country. We are as much sons of India as the Hindus and Muhammadans. We have also the same stake in the progress of our country and there is no reason why we the weakest community in India should be left at the mercy of the major communities.

Our position is very simple. We want our countrymen in India to rise to that stature to which other people have risen in their countries. We want India to attain Dominion Status as an equal partner in the British Commonwealth of Nations, to the very position and dignity that Canada had attained. Therefore, we the Depressed Classes of India realise that the British Commonwealth of Nations is there for India to be associated with it for her own benefit and in her own interests.

Memorandum from the DEPRESSED INDIA ASSOCIATION. [*Continued.*

That is our conviction, and that is the reason of our traditional loyalty to the British connection. At the same time it is a perfectly natural claim of seven crores of His Majesty's Depressed Classes subjects to have a legitimate share in the Provincial and Central Government.

The most important detail in this aspiration of ours is the constitution of the electorate both Central and Provincial. The advantages of separate electorates for the Muslims have been expatiated threadbare by the Muslim leaders. If such a compact and powerful minority without any social stigma and political inferiority like ours are afraid of Hindus and to protect themselves from the machinations of Brahmans and other caste people insist upon a separate electorate, the more so the Depressed Classes require the same safeguards. For centuries the high class Hindus have oppressed us. To keep us separate from the body politic they have evolved the philosophies of Maya and Karma. For ages these philosophies have worked havoc among various sections of the Hindu society so that both the high class Hindus and the Depressed Classes have come to believe in them. To get rid of this miasma of Karma, Maya and untouchability a separate electorate is absolutely essential. It is only when the Depressed Classes feel that they can elect a certain number of their own to sit in the Legislative Councils on equal terms with other high class Hindus, and can get, through their own united strength from the Government of the day, what is necessary for their uplift, the century old apathy brought on by Karma and Maya philosophy will disappear. Our object is to have representatives of the Depressed Classes from amongst the Depressed Classes, who feel for the Depressed Classes and who have a personal experience of the miseries of the Depressed Classes, and not simply such representatives as are slaves of high class Hindus. If a Depressed Class representative is to be elected in a joint electorate the high class Hindus by their superior intelligence and powerful organisation will see that only such of the Depressed Classes will be elected as are subservient to them. It is said that a joint electorate will force the high classes to mingle with the Depressed Classes and thereby the curse of untouchability will be weakened. If such a commingling of different castes is to take place it only occurs once in three years. But does that mixing up of castes ever take place at all? High classes have lived in India for centuries and they have managed to get every sort of work from the Depressed Classes without in any way coming in contact with them and they will see that the votes of the Depressed Classes are polled during an election time without in any way getting themselves polluted. The cry for joint electorates raised by the high class Hindus is simply with a view to keep all the reigns of power in their own hands. Once a Depressed Class man is elected to the Council without being obliged to the votes of high class Hindus he will act in the Council in the best interest of the country and of his community. What after all is an electorate ? It is a method by which a certain number of people get into the councils. If the Depressed Classes as a community are to have a share in the Government of the country it is essential that only those who in their opinion are their best representatives, and not in the opinion of either Muslims or the high class Hindus, should be elected. In the coming Swaraj if the government of India by the people of India for the people of India is not to be made a farce every community should have its true representatives in the Legislative Councils and the only way for the Depressed Classes to have their true representatives is by means of separate electorate. Unless the Depressed Classes have political power in their own hands by means of separate electorate it will be an impossibility for them to remove the social, economic, educational and political disabilities. A solid *bloc* of Depressed Classes in the Legislative Council conscious of their power will force the high class Hindus and Muhammadans to pass such laws as would ameliorate the conditions of the masses. And the major portion of the masses consists of Depressed Classes. Then the question of entry into temples, institutions maintained at the expense of public funds, a fair share in the services—Government, Military or Police—will be easily solved. It is because of this fear

Memorandum from the DEPRESSED INDIA ASSOCIATION. [*Concluded.*

that the higher classes will lose all the monopoly of the loaves and fishes which they had for ages enjoyed in the country, they cry for joint electorate under the guise of hundred per cent. nationalism.

The second detail that we urge on the Franchise Committee is the granting of adult suffrage for the Depressed Classes. Considering the social and economic position as at present prevalent among the Depressed Classes, adult suffrage is the only solution for the Depressed Class problem. As more than ninety-nine per cent. of them are without lands, without education, without houses or any other qualifications as contemplated by the franchise regulations at present in vogue in India, adult suffrage meets all requirements of the Depressed Classes. Since the Depressed Classes are to have a separate electorate for themselves their franchise qualifications will not interfere in the election of the other communities. The Franchise Committee might formulate a safeguard in the federal Constitution that the separate electorate for the Depressed Classes might be removed when adult suffrage is granted to the whole of India. When such a contingency arises the Depressed Classes might be given reserved seats in the joint electorate for two decades, for by that time the Depressed Classes will be in a position to hold their own against the combined forces of Muslims and Hindus.

Memorandum submitted by the GUJARAT DEPRESSED CLASSES ASSOCIATION.

PROVINCIAL LEGISLATURE.

1. EXTENSION OF THE FRANCHISE.

(*a*) The Gujarat Depressed Classes Association is in favour of direct adult suffrage for all males and females.

(*b*) Yes. The association considers that the electorate will be capable of casting an intelligent vote.

(*c*) *to* (*e*) That being its view the association is not prepared to accept the proposition implied in these questions that the extension of the franchise should be regulated by the extent of the administrative machinery. The association on the other hand thinks that administrative machinery should be devised to meet the extent of the franchise. The question of franchise should be considered solely from the point of view of giving political power to all classes especially to those who occupy a low place in society and consequently whose welfare depends to a great extent upon governmental activity. As to the other question, namely, whether an extended franchise should bring in an elector capable of casting an intelligent vote, the answer is in the affirmative. The association would like to point out that the Depressed Classes have been keenly interested in politics and have class consciousness arising out of a livelier sense of many social disabilities from which they suffer. They are not likely to cast a wrong vote.

(*f*) If it is shown that administratively it is difficult to work the system of adult suffrage and direct election then the association would be prepared to accept indirect election by groups of 20 for a period of transition till administrative machinery is developed to cope with direct election on the basis of universal adult suffrage.

(*g*) The association is in favour of (1) direct election based on property or literacy and (2) indirect based on membership of a group applicable to the remaining unenfranchised residuum of the Depressed Classes. If direct franchise qualification for all is not possible the association would prefer indirect system of election by groups applied to all. In the event of the two-fold franchise being retained the association is against the indirect voters and direct voters forming separate constituencies for the purpose of election nor should the candidature be restricted to the voters belonging to the respective classes of voters.

Memorandum from the GUJARAT DEPRESSED CLASSES ASSOCIATION. [*Continued.*

2. FRANCHISE QUALIFICATION.

(*a*) The association does not understand that behind the division of rural and urban there is any real division of interests. Consequently even if there was a disparity of the kind suggested in the question as between rural constituencies and urban constituencies the matter cannot become one of great heart-burning except in the event of the urban representatives in the council being given a majority over the rural representatives. On the other hand it is the view of the association that the wealth and especially intelligence available in the towns justify some weightage in the matter of representation.

(*b*) If communal electorates are to be retained then in the view of the association there is no purpose in giving each community voting strength according to its population.

(*c*) The association does not think that property is a test of fitness for the franchise. It can only serve to limit the electorate without ensuring an intelligent electorate. The association is opposed to the principle of property qualification. If it is to be retained, it should be lowered and modified so as to include income and wages.

(*d*) The association is in favour of an educational qualification independent of property and would favour literacy test, ability to sign the application for enrolment being deemed sufficient.

(*e*) The association is in favour of retaining the existing military qualification and extending it so as to include service in the Auxiliary and Territorial Forces provided the person was not in active service.

3. WOMEN'S SUFFRAGE.

(*a*) The association strongly is in favour of the extension of women's electorate. The association sees no justification for making a distinction between male and female franchise on the basis of age. But the association does not approve of the proposal of the Simon Commission, to give the franchise to the wives and widows of male voters because of the extent of the franchise being limited to 10 or 25 per cent. of the total population. Such a system would double the voting power of the existing class of voters and would leave very little margin for the new class of voters in whose interests the actual extension of the electorate was desired. But if the limit on the extension was removed then the association would not have any objection to the proposal. As to literacy qualifications if it was very high the female voters would be very small in number and would be largely drawn from the higher classes.

(*b*) In the present state of Indian society women should be grouped separately in separate groups to elect women electors.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The association is of opinion that the Depressed Classes cannot secure representation in the general electorate, much less can they secure representatives of their own choice even if there was adult suffrage. The reasons are as follows :—

(*a*) In *every* territorial constituency the Depressed Classes are in a minority of the population and will be a minority of voters in the electorate much too small to win a seat for themselves.

(*b*) Owing to social prejudices no voter of the higher caste will vote for the Depressed Class candidate.

(*c*) On the other hand owing to economic dependence on the higher castes and the religious and social influence of the higher castes many Depressed Class voters may be led to vote for a high caste candidate as against a candidate of their own class. No Depressed Class man has even been elected to the Council.

Memorandum from the GUJARAT DEPRESSED CLASSES ASSOCIATION. [*Concluded.*

These handicaps in the way of a Depressed Class candidate will be greatly increased if the franchise was limited, although an extension of the franchise will not remove these handicaps owing to the reasons mentioned above. The association understands that the question "if your answer is in the negative what specific proposals would you make to secure their representation in the Legislature" has reference to the question of franchise methods such as the one suggested in the following sentence and has no reference to the question of joint and separate electorates or the question of seats. For this view the association relies upon the letter of the Prime Minister to the Chairman of the Indian Franchise Committee, and paragraph 7 and paragraph 8 (General) of the questionnaire of the Franchise Committee, which definitely exclude the communal question which includes the two issues mentioned above. Regarding the application of the group system to the Depressed Classes, the association supports the scheme in the form of plural member primary constituencies of members of the Depressed Classes.

Definition of Depressed Classes.

A list of castes which form the Depressed Classes in the Province is given in the appendix of "Starte" Committee's Report on the Depressed Classes and Aboriginal tribes.

Constituencies for Depressed Classes.

The Depressed Classes representation for the Provincial Legislature should be distributed between rural areas by districts and in urban areas by industrial towns in which the Depressed Classes are largely concentrated. If the number of seats assigned to the Depressed Class is less than the number of constituencies then instead of combining the constituencies in order to equalize them to the number of seats the principle of rotation should be applied; voters of those Depressed Class constituencies without their turn will vote in the general electorate.

5. REPRESENTATION OF LABOUR.

The association is in favour of organised labour being given special representation even if there was no representation of trade or industry through the instrumentality of recognised trade Unions.

7. REPRESENTATION OF THE DEPRESSED CLASSES IN THE FEDERAL LEGISLATURE.

(*a*) The association is of opinion that the franchise qualification for the Provincial Legislature and the Lower House of the Federal Legislature should be the same in case of all communities and in the case of the Depressed Classes.

(*b*) The association is of opinion that the Depressed Classes constituencies for he Lower House of the Federal Legislature should be confined to certain urban areas within the province regulated by a system of rotation if need be.

(*c*) The association supports the scheme of indirect election by Provincial Legislature for the composition of the Upper House of the Federal Legislature by single transferable vote but provision should be made that every Provincial Legislature shall elect a minimum number of the Depressed Classes to the Upper House.

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1. Dr. P. G. SOLANKI, J.P., M.L.C., Representing the Bahiskrit Hitkarni Sabha and the Gujarat Depressed Classes Association.

2. Mr. R. S. NIKALJAY, Representing the Depressed India Association.

1. *The Chairman :* Mr. Nikaljay, will you tell us whom you represent ?—I represent the Depressed India Association.

2. And you Dr. Solanki ?—I represent the Bahiskrit Hitkarni Sabha and the Gujarat Depressed Classes Association.

3. I would just like to make a statement. The question whether the depressed classes are to have separate electorates or joint electorates is not before the Committee. Therefore no discussion on it is allowed. We have to find out who are the depressed classes, what are the disabilities they suffer from, what representation they would get on the rolls on the proposals of the Bombay Government or any other proposals, whether there is any prospect and, if so, what prospect of their getting representation on the legislature under those proposals. Now, do you accept the statement made in one of these documents as to who the depressed classes are, the castes which come within the depressed classes in this province ?—(*Dr. Solanki*): The classes mentioned in the Backward Class Board's recommendation, my Lord.

4. You accept that statement ?—Yes.

5. That shows that 1,750,000 of the population belong to the depressed classes ?—Yes.

6. Are the depressed classes distributed equally over the province or are they centred in any particular areas ?—They are scattered all over the Presidency. I am speaking of the Presidency. I am ignorant of Sind.

7. Are they a large proportion in the City of Bombay ?—Yes.

8. Are they more in proportion in the City of Bombay than in villages ?—Yes, my Lord, because the industries and other organisations draw them to the City of Bombay, and they are nearly 100,000.

9. In the City of Bombay they are 100,000 ?—They may be more than that.

10. How many do you say ?—140,000, Sir.

* * * * * * *

11. I have heard it stated in other provinces, for instance, that there are two main classes or groups among depressed classes neither of which has any social relations with the other group in the same way as there are none between the depressed classes and caste Hindus. Is that a fact ?—Among the depressed classes of this Presidency there are about 36 sub-castes, out of which each caste has its own traditions and historical past. They follow different professions and intermarriage and inter-dining are not allowed among the different sub-castes. And that is I think in accordance with the prevailing customs of the Hindus. But that does not mean that they are hostile to one another.

12. Do all come together to the wells for drawing water ?—Generally in the villages all the communities among the depressed classes are not to be found. Mostly the Mahars or the Dheds are found in Maharashtra and Gujarat and the Holiays in Karnatak, Chamars and Mangs in other places. They are all scattered and so the question of drawing water from a common well for all these does not arise. But in a village where there are two or three sub-castes living together, they have got separate wells of their own.

13. *The Chairman* (to Dr. Solanki): I notice that in your evidence you suggest that adult franchise should be given whether there are separate or joint electorates. Why is it that you suggest adult franchise especially for the depressed classes even though it is not adopted generally in the province ?—(*Dr. Solanki*): Because the depressed classes are hampered and handicapped in every way; they have no property qualification and no literacy qualification. They have no other means by which they could be enfranchised except in the case of a few fortunate ones who might have risen by their business abilities or by chance; but I should say that 99 per cent. or 95 per cent. are without those qualifications and that is why we are pressing for adult suffrage in the beginning. If that is not workable, we shall request for such a system as will enfranchise the larger portion of these people and that is the group system.

14. Your argument is that, assuming for the moment, separate electorates with a property qualification are adopted, the mass will not be enfranchised and as this will not be enough for the depressed classes you want to bring in the group system ?—Yes.

15. In what form would you apply the group system for the representation of the depressed classes ?—A group of 20 men will select one spokesman or electoral delegate and such a spokesman will form a sort of secondary voter on behalf of the depressed classes.

16. How would you conduct the primary election, by roll or informal voting ?—It is not necessary to have a roll, it can be done by informal voting. The political consciousness among the depressed classes has in the last 10 years awakened to some extent and they would like to get rid of the disabilities under which they have been labouring for centuries and they have come to the conclusion that unless their men could have voting power for themselves and they could return their own candidates to the Councils and Assemblies and unless their representatives wield political power these unfortunate people will have no way out of their difficulties.

17. Is it a fact that the depressed classes live in separate cheris ? Does that make it easier to work the group system because they are all congregated in areas outside each village ?—Yes, it is an easier system.

18. You say there are 104,000 of the depressed classes in the City of Bombay and we are instructed to make some provision for the special representation of labour either by direct enfranchisement or through the Trade Unions. The difficulties in the problem arise from the fact that the depressed classes largely belong to the labouring classes to whom it is proposed to give in some way a differential franchise, and if a difficulty arises in making both a labour constituency and a depressed class constituency the probability is that we shall have to choose between the two ?—At present the question of the depressed class labourers is not distinct from that of the other labourers, Hindus or Muhammadans, and I as President of the Association would not press for any special treatment for labourers whether Hindu or Muhammadan.

19. You would have a labour constituency and not a depressed class constituency ?—The Labour constituency should be altogether different and the members of the depressed classes may join the Unions of either bodies.

20. I am not quite clear. Do you mean to say that the separate electorate system or the joint electorate system should apply to the depressed classes in the town ?—The separate electorate system should be everywhere.

21. When it comes to special representation of labour, as such, in that constituency you draw no distinction between labour and the depressed classes ?—I will make it clear. As a rule the separate electorate, if it is to be applied, should be applied to the community as a whole even in urban and rural areas. When the question of labour as a special interest comes in then I would not like the question of a separate electorate to come in there, but they should go in as Labour or labourers because there is no conflicting interest there.

22. Your point is that if there is a special constituency for labour the members of that constituency will have a second vote exactly as the people who represent capital do ?—(*Mr. Nikaljay*): We don't mind taking advantage of that also if it is given. (*Dr. Solanki*) : I would modify my statement by saying that in case my Muhammadan brethern would insist upon having some provision made for them in the labour constituency, by all means the depressed labouring classes will also claim that, but if there is not much differentiation I think we might as well put in our lot as labourers.

23. Your view is that you don't want differentiation in labour constituency as such ?—Yes.

24. *Mr. Butler:* If the group system is applied to the depressed classes alone there would be no objection ?—No. We shall be very pleased because that is the only remedy.

25. *Dr. Ambedkar:* Is it a fact that in the mills the depressed classes are not allowed to take service in the highly paid departments; they are confined only to departments like spinning and weaving ?—That is a fact.

26. That has been a bone of contention for the last so many years ?—Yes. I would like to amplify that statement by saying that there is no justification for the complaint made by mill-owners and capitalists that they cannot employ depressed class men in the higher appointments because caste Hindus will not tolerate them, if only the authorities could enforce their orders rigidly and strictly in this matter.

27. Is it a fact that in Bombay the Municipality have separate schools for the depressed classes ?—Yes, formerly they used to label the schools as schools for the depressed classes or low caste people, but recently for the last 5 or 6 years they have taken away that name and given them numbers. But as a matter of fact the schools remain as separate schools; of course if a Hindu boy wants to go there they don't debar him.

28. In reply to a question from the Chairman you said that legally you were allowed all the civic rights. Is it not your experience, as a member of the Starte Committee, that there was an overwhelming amount of evidence by representatives of the depressed classes before that Committee that the principal obstacle to exercising those rights was the strength of the Hindus combining against them ?—Yes.

29. And the Starte Committee was impressed by that evidence ?—Impressed and shocked.

30. And they stated that either that attitude should be stopped by propaganda or if that failed a law should be introduced to prevent that sort of social ostracism ?—Yes, we have recommended that in our report.

31. Is it not a fact that on account of what is called the hereditary village officer system which prevails in all three divisions of the Bombay Presidency a large part of the depressed population has depended for their livelihood on the caste Hindus on account of the fact that the Government are not able to do anything for them ?—Yes.

32. And is it not your experience that if a depressed class man did not act according to the wishes of the caste Hindus, at the end of the year for one simple act of disobedience he would be deprived of his annuity by the caste Hindu and so be brought down to his knees ?—Yes.

33. Do you think that that system which makes a large part of the population dependent for their livelihood on the caste Hindus is likely to be utilised for political purposes in the new system ?—Not to talk of the new system, even now there is that great danger.

34. That the economic power they have will be misused for the purpose of controlling the elections ?—That will be a very great danger.

35. It has been suggested that the reason why most of the depressed classes do not find favour at the hands of the caste Hindus is because they are not patriotic, that they are generally communally minded. That is the argument presented in some provinces. You know that Mr. Deorukhar is a Congress man and belongs to the depressed classes ?—Yes, he always espouses the cause of Congress.

36. He stood for co-option in the Bombay Municipal Council. How did he fare ?—He received no support, not even from his friends.

37. Notwithstanding the fact that he was a Congress man ?—Yes.

8th March, 1932.] Dr. P. G. SOLANKI. & Mr. R. S. NIKALJAY. [*Continued.*

38. No person has been elected from the Presidency proper from amongst the Congress men to the Legislative Council ?—None.

39. In the last election two of the depressed class members have been returned from Sind to the Legislative Council on the Congress ticket ?—Yes.

40. Was that a genuine attempt on the part of Congress to see that the depressed classes were represented or was it in order to show that the Council was a place only fit for the depressed classes ?—It was neither genuine nor honest. This was to show to the whole world that the Council was only fit for Chamars and Bhangis and to bring the Council into discredit.

41. These two gentlemen have been your colleagues in the Council for the last two years. Will you tell us what interest they have taken in the cause of the depressed classes in the Legislative Council ?—They have taken no interest. They are just as alien as the Hindus. They are ignorant of the conditions prevailing among the depressed classes in Sind.

* * * * * * *

42. *Lord Dufferin* (to Dr. Solanki): Which would you prefer, a large electorate by adult suffrage or a large representation in the Council ?—(*Dr. Solanki*) : All of us want both, my Lord.

43. Suppose you could not get both, would you mind very much if you got a large representation and a small electorate ?—Why should we not get our due ? We have been denied these things for so many centuries and for so many years it is overdue to us. It should be given to us in the new constitution all at once and both together.

44. You said the group system was the only method to achieve it. Suppose the group system is shown to be unworkable, would you be content with a large representation in Council and a limited electorate ?—I would not be selfish. I would like large representation and at the same time would like my less unfortunate brethern to be enfranchised. It must be given to the depressed classes by any means possible which Parliament or the Government of India or the Bombay Government may devise.

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45. *Mr. Miller :* I understand you are in favour of a labour constituency. Would there be a large proportion of the depressed classes in it ?—The number is stated to be 150,000.

46. Do you think the caste Hindu and the Muhammadan would co-operate with the depressed classes in a Labour constituency ?—Of course there may be dislike in the minds of Hindu labourers but in order to satisfy the aspirations of the gentlemen of the Hindu fold who say they are for joint efforts and who are always crying for the brushing away of differences, I would like to give them this opportunity of showing better treatment to the depressed class people and the Hindu labourers to show a change of heart.

47. You think there will be full co-operation between the caste Hindu and the Muhammadan ?—Yes.

48. You mean that from a constituency of labourers, non-labourers will be sent as representatives ?—That is the great fear but we will take the risk and give them a chance so that they will not put any charge against the depressed classes.

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49. *Khan Bahadur Aziz-ul-Huque :* You represent, I understand, the Depressed India Association also ?—(*Dr. Solanki*) *:* My friend Mr. Nikaljay represents it.

50. Would you kindly refer to the paragraph in the memorandum beginning with " that is just our contention ". Here you say " the high caste Hindus of the Indian National Congress and the educated Muslims of the Muslim League settled amongst themselves how best to deprive the depressed classes of their voting strength and to parcel it out amongst themselves ". Is it not a fact that the Muslims have shown sympathy, active sympathy, with the movement of the depressed classes ? Will you stick to that statement still ?—(*Mr. Nikaljay*) *:* May I know when ?

51. I think I can give ten answers to that. Do you still stick to that—that they settled to parcel out the voting strength amongst themselves ? Has there been any active movement amongst the Muslims, in any case in India, by which you could show that the Muslims tried to deprive the depressed classes of their rights ?—Then we could have got our rights at that time.

52. You still stick to that statement ?—I do.

53. Am I to understand that the attitude of your association towards what the Muslims have done is represented in these few lines ? I am not going beyond the borders of this country. I am asking, is that what you feel the Muslims have done ?—I do feel that.

54. There is one other point. When you say that you represent the Depressed India Association, do you really take note of the circumstances in the other provinces also ?—We do.

55. Are you aware of the fact that the Muslims in the Bengal Legislative Council have systematically helped the depressed classes in getting their rights ?—May be.

56. *Major Milner :* Can your community find a reasonable number of competent people to enter the legislature ?—(*Dr. Solanki*) *:* At present we can find.

57. With regard to the group system, do you think it would be possible for your community, if that system was extended to you, to organize groups, subject to some help from officials, and to carry through the group elections amongst your community ? Will you be able to organize the detailed work yourselves ?—If all the burden is not thrown upon the shoulders of the poor depressed classes, they would like to co-operate with the officials of Government, because it will be a sort of helping themselves.

58. And if carried through they would exercise the franchise ?—Sure.

59. With regard to the trade unions, am I right in saying that quite a number, some at any rate, of the depressed classes are members of the trade unions ?—Some may be.

60. And the trade unions do not discriminate as between the depressed classes and the non-depressed classes. Those who desire to enter their fold can come in ?—Just as I mentioned in reply to a question put to me, I would say that the Hindu labourers, particularly the Mahrattas, and other communities also do keep a sort of differential treatment between themselves and the depressed classes. Between the Muhammadans and the Depressed Classes, I should think, there is not much difference or much differential treatment. As I say, I would risk this much—that I would like the depressed class labourers to rub shoulders with the labouring Hindu class and see that they become friends because their common goal is labour.

61. Inside the trade unions their economic interests are common ?—Their economic interests are one and the same.

62. There is one thing more about which there has been a good deal said in the papers lately. Could you say that this Committee would be justified in accepting any advice given by Dr. Ambedkar as fairly and adequately representing the views of the depressed classes in this country ?—I should say that there is no leader among the depressed classes of the world-wide fame of Dr. Ambedkar, and he has been acknowledged as the leader in whose hands the future of the depressed classes is safe, and the Committee would be justified by accepting any advice given by Dr. Ambedkar as fairly and adequately representing the views of the greatest majority of the depressed classes in this country, barring those handful of the so-called nationalist depressed class people who are hirelings of the Hindu Maha Sabha and the Congress.

63. *Mr. Munawar :* In answer to Mr. Butler you said that you are in favour of applying the group system to the depressed classes ?—Yes.

64. Are you also similarly in favour of applying the group system to the labouring classes, whether industrial or unorganised ?—To the unenfranchised residue of the agricultural labour I would apply the same system.

65. Do you think that it is feasible ?—If it is feasible for the depressed classes, I think it would be feasible for the unenfranchised residue of the labouring classes.

66. You know there is a proposal to reduce the rental qualification from Rs. 10 to Rs. 5 in Bombay. Are you in favour of Rs. 5 or a lower rental ?—I would go still further for a lower rental qualification if it could be done.

67. Why ?—Because a rental of Rs. 5 will not bring in a very large number of the depressed classes in Bombay city, because one man only hires one room and in that room four or five families live. If a man pays Rs. 10 he gets 8 annas as a sort of nominal rent from the other people. The room stands in the name of one man. So, I would like the rental qualification to be still further lowered as it would be to the advantage of the depressed classes and the labouring classes. But I am afraid, the capitalist and vested interests would not allow the Government to do that.

68. What proportion do you think of the depressed classes in Bombay is in the present organised labour movement ?—I must acknowledge my ignorance about the proportion of the depressed classes among the organised trade unions, but roughly I can say that there are more than 150,000 labourers in Bombay belonging to the depressed classes. In Bombay there are about four lakhs or five lakhs of labourers and the number I gave would be that of the depressed classes.

69. *Rao Bahadur Asavale :* Do you know that most of the depressed class people live in huts ?—Most of the depressed class people who belong to the Conservancy Department or who are in Municipal service and who cannot get a room in the Municipal *chawls*, poor creatures, have to live in their huts built by them by collecting empty kerosene tins. They live in those sheds.

70. Even those who belong to the Conservancy Department, what rent do they pay ?—In the Municipal *chawls*, I believe, they have to pay eight annas or twelve annas.

71. Don't you think therefore that all these people who belong to the municipal service will not be enfranchised even if the franchise is extended to those who pay Rs. 5 ?—They will never be enfranchised.

72. That means that the depressed class people will not be enfranchised even if the proposed franchise is accepted ?—You are right.

73. *Rao Bahadur Angadi:* Is it not a fact that whenever any question with reference to the depressed classes arose in the Council, the non-Brahman Party was very sympathetic towards the grievances of the depressed classes ?—Most certainly. The non-Brahman Party was sympathetic. In fact, it was on account of the support of the non-Brahman and the Muslim Party that I got to the Senate of the University of Bombay.

74. Is it not a fact that this non-Brahman Party practically consists of Hindu members ?—There are Hindu members, there are Mahrattas and there are Christians.

75. *Rao Bahadur Kale:* Do you mean to say that in the last 10 years in the Council any members from the advanced classes opposed any measures which were intended for the improvement of the depressed classes ?—Yes.

76. Can you mention any measure which was opposed ?—The measure relating to the village water supply to the depressed class population. There was a strong opposition from a most responsible member of the Council. I would not like to mention the name of that person, and I believe you yourself were present in the Council when there was a heated debate between myself and that responsible member of the Council.

77. But what is the case generally ? There are individuals and individuals ?—Had it not been for the co-operation of the official *bloc* and the Muhammadan members and the non-Brahmans the case of the depressed classes would have been at a discount.

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78. *The Chairman:* His point is whether as a result of the work of the council in the last few years the condition of the depressed classes has or has not improved —It has improved by the co-operation of members except the orthodox Hindus.

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79. *Rao Bahadur Kale:* Are not the boys of the depressed classes being admitted into the schools freely ?—(*Dr. Solanki*): I have heard that in Satara district children of the depressed classes are freely admitted. That is the only one district that has to its credit that brilliant chapter. In all other districts, it is a black chapter.

80. Among the Chambhars and the Dhors are there any people who are following the profession of contractors and doing other business ?—(*Mr. Nikaljay*): Very few.

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81. May I know in respect of which community you are giving evidence ?—(*Dr. Solanki*): The Mahars and Wankars in Gujerat which form 15 to 16 lakhs of the population out of 18 lakhs.

82. Is it not a fact that caste Hindus have been conducting institutions in Poona and other places for the uplift of the depressed classes during the last 30 years ?—But I am sorry to say that with the existence of all these institutions and missions started by the Hindus nothing has been practically done. Holding

gatherings annually, having *priti bhojans* (inter-dining), etc., are the only important things. No regular propaganda work is done in the villages or cities by the members of these missions to wipe out untouchability.

83. *Mr. Jadhav:* You said you were a member of the Senate of the University ?—With the help of the Muslim and the non-Brahmin Party I was elected.

84. You said no depressed class man has ever been returned to the Council from a joint electorate ? Has anybody ever stood for election ?—How can they stand if they have not got the faintest chance of getting in.

85. Do you seriously think that men like Dr. Ambedkar will not be elected ? —Not in these days.

86. A question was put to you whether there were different castes among the depressed classes. Do you know whether the Hindus are a homogeneous community ?—They are not.

87. They have got caste institutions for different castes ?—They have.

88. If the population is to be divided into two groups of Hindus and non-Hindus in which section will you class yourself ?—We won't be ashamed to class ourselves as Hindus, but Hindus labouring under the handicap of untouchability.

89. *Khan Bahadur Allahbaksh:* You say that there are 90,000 depressed class people in Sind ?—Yes.

90. Is it a fact that the depressed classes in Sind suffer from social disabilities ? —I know very little about Sind.

91. Do you say that the wells which are closed to depressed class people are open to Muhammadans ?—Yes, they are open to everybody except the depressed class men. But if a depressed class man says he is a Muhammadan he can draw water.

92. In reply to the Chairman you said that there were sub-castes among the depressed classes—untouchables within untouchables ?—No. There is no question of untouchables within untouchables. It is only a question of social intercourse as it exists among the other Hindus.

93. Is it a fact that certain classes of depressed class people will not allow the use of their wells to some of their own sub-castes ?—They do so, because this custom has permeated to them.

94. Would you be willing to allot or reserve some of the seats allotted to the depressed classes to be filled by untouchables ?—Which untouchables ?

95. People who are not allowed the use of wells in depressed class quarters ?— As I told you, Khan Bahadur, out of the 16 lakhs of Mahars, Dheds, Holyas, etc., only 3 lakhs are other sub-castes and as such we may safely leave it to them to reserve some seats for these sub-castes.

96. Therefore you will have no objection if out of the 19 seats, three are given to them ?—I have no objection.

97. *Mr. Haji:* Dr. Solanki, suppose there is an extension of the franchise. Would the depressed classes get fair representation in the general electorate ?— Not at all.

98. Would they get, at any rate, depressed class candidates of their own choice ? —No.

Memorandum submitted by Mr. BALOO BABAJI PALWANKER, on behalf of "Chambhar" Community, Bombay.

I.—PROVINCIAL LEGISLATURES.

1. Extension of the Franchise.

Immediate introduction of adult suffrage is essential—especially in the case of Depressed Classes—and though it is possible to do this, it appears that we are not going to have it for some time to come.

(*a*) If adult suffrage, even with the age limit of 20 years, is at present not considered practicable in the case of Depressed Classes, then as an alternative the franchise should be enlarged to such an extent as would bring the total number of voters to the proposed maximum limit of 25 per cent. of their population in the Bombay Presidency. The means suggested for this purpose are stated against clause (*e*) below.

(*b*) I consider that the expanded electorate will be capable of casting an intelligent vote.

(*c*) The preparation of the electoral rolls will not be so difficult as would be administratively unmanageable. Once the rolls are prepared, their maintenance will not be so difficult, if they are revised and brought up to date periodically. The management of recording and counting of votes is also not an impossible task.

(*e*) Yes, it is essential to enlarge the electoral rolls by lowering considerably the existing franchise qualifications and by introducing certain additional qualifications such as, "Literacy", "Military" and "Women's Suffrage". The larger the number of electors the greater will be the chance of success of the popular candidates. Besides it is bound to create an awakening in the masses of Depressed Classes regarding their political and civic rights.

(*f*) to (*j*) I do not think the proposed "*group system*" for electing voters, who are not entitled to a direct vote, would be feasible—especially in the industrial cities, nor do I consider it absolutely necessary to adopt this elaborate and complicated system, if the proposed additional qualifications are introduced. Direct and individual voting is decidedly better than the indirect group-voting, as there is no guarantee that the groups will be of one mind or of unanimous opinion, apart from the fact that it will involve difficulties more than the introduction of adult franchise would create.

2. Franchise Qualifications.

(*a*) I have no knowledge about this matter, but I understand that there is some disparity of franchise qualifications between Local bodies and Legislatures.

(*b*) Either in "Joint" or in "Separate" electorates it is advisable to maintain uniformity in the matter of franchise, no matter whether the voting strength of the different castes of the Depressed Classes is in proportion to their population or not.

(*c*) Possession of property of some kind cannot be taken as a suitable test of fitness for the franchise, but in order to increase the percentage of electors, the existing property qualifications, as well as the present "tax paying" and "wage and other earning" qualifications should be modified or introduced.

(*d*) Yes, all the adults who can read and write vernaculars should be enfranchised.

(*e*) Yes, but I would suggest that all "Civil" and "Military" servants of 10 years' service and all "Pensioners" should be enfranchised, independent of any other qualification.

Memorandum by Mr. BALOO BABAJI PALWANKER. [*Continued.*

3. WOMEN'S SUFFRAGE.

(*a*) Yes, I am strongly in favour of increasing the women's electorate and would suggest that, in the case of Depressed Classes especially, wives of 20 years' age of all qualified voters should be enfranchised and *widows*, as well as *unmarried females* of the same age should also be enfranchised under the " Property " and " Educational " qualifications that may be decided for males.

(*c*) It is presumed that there is no restriction for females to stand as candidates for Provincial Legislature, if so, the females should go to the Legislature by election same as males, and not through co-option.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

(1) In my opinion all castes which are regarded as " *Untouchables* " (as mentioned in the appendix to the Starte Committee Report) should be brought under the category of " Depressed Classes ", excluding those castes of Depressed Classes which are taken as " Touchables ".

(2) Looking to the adverse circumstances under which the Depressed Classes are placed at present their case, as compared with the cases of other minority communities, is quite different, *i.e.*, their economic condition being very bad, their education is much below the average and this seriously hampers their social progress and precludes them from raising their status and influence without which no community can maintain its prestige in the public.

Moreover, owing to the social prejudices and deficiency in education of the Depressed Classes, it is unlikely that a large number of voters of upper classes will vote for our candidates in the " Joint " electorate. Therefore the case of Depressed Classes deserves special or more liberal treatment than any other minority community—*especially in the matter of reservation of seats in all Legislatures*, as entry in Councils will not only give opportunities to our people to pick up politics, but will also facilitate them to raise their status and influence and at the same time indirectly remove to some extent the caste prejudice from the minds of the upper classes.

(3) It may be pointed out here that there are many castes and sub-castes among the Depressed Classes and though they are the followers of Hindu religion in general —in social matters they are separate from each other. Their grievances and difficulties are also different and naturally they are better known to the castes concerned than to other castes. This is not the case with any other minority community, as they have no caste prejudice amongst themselves and their disabilities are more or less common. Besides this, the numerical strength of the different castes of the Depressed Classes differs materially.

In view of these peculiar circumstances it is necessary to safeguard, as far as it is practicable, the interest of all these castes whose population is much less than that of the other castes.

(4) In the " General Electorates " the Depressed Classes will not be able to secure adequate number of representatives of their own choice through the proposed general extension of franchise.

(5) I am of opinion that the system of " Joint Electorates " with reservation of seats, would be more suitable to the Depressed Classes than the " Separate Electorates ", for returning their representatives to the Legislatures, as the major portion of the Depressed Classes are agriculturists and servants and many of them do business on small scale. This being the case, they are to a certain extent dependent upon the good will and help of the upper classes. For instance, my " Chambhar " community had decided in their Conference which was held in Bombay in October 1930 and again in their public meeting held in Bombay a few months ago

Memorandum by Mr. BALOO BABAJI PALWANKER. [*Continued.*

that they would prefer " Joint Electorates " with reservation of seats, as many of them carry on business in leather goods, shoe-making, etc., and it is therefore advantageous to them, both from social and economic point of view, to keep their connection with the Upper Classes—especially with our co-religionists rather than remaining segregated from them. Besides this, their number, as compared with the other caste of Depressed Classes (*viz.*, Mahars) being considerably small, they cannot afford to lose whatever little support they may get from the Upper Classes.

Moreover " Separate " electorates system is likely to intensify communal feelings, and to widen the existing gulf between the Depressed and Upper Classes—a contingency to be avoided at all costs.

Taking a far-sighted view of the *pros* and *cons* of both " Joint " and " Separate " electorate system, I consider that " Separate " electorates, as compared with " Joint " electorates, is not at all beneficial to all the castes of Depressed Classes for their general uplift, even for a short period.

(6) If legitimate aspirations of the Depressed Classes are to be supported, then the following protection should be provided for them in the future Constitution :—

(i) They should be given adult suffrage with the age limit of 20 years, if not the percentage of their voters should be increased appreciably, *i.e.*, up to the maximum limit of 25 per cent.

(ii) " Joint " electorates with reservation of seats, both in the Provincial and Federal Legislatures (Lower and Upper Chambers), in proportion to their population, in the same ratio as may be decided for the Muhammadans.

(iii) Qualifications and conditions that may be laid down for candidates for Provincial and Federal Legislatures should be relaxed in the case of Depressed Class candidates.

(iv) In order to ensure the election of all their suitable men, whose number is limited, the allotment of seats in the Legislatures should *not* be by Districts or Territorial Constituencies, but there should be one general constituency for the whole of Bombay Presidency, so far as Depressed Classes are concerned, so that candidates from any area may stand for elections; otherwise settled number of representatives from certain constituencies will have to be returned to the Legislatures, though there may not be suitable men in those areas. It will also give scope to the promising men of other Districts whose number may be larger than the number of seats allotted to their Districts.

(v) One general electoral roll of all the voters of the Depressed Classes in the Bombay Presidency should be prepared by Districts, so as to remove the disability of the electors of not being allowed to vote for candidates of their choice belonging to other Districts.

(vi) Polling booths should be erected at all important stations in the Presidency, so that the electors may vote from their respective area, either for the candidates who belong to their own Districts or to other Districts, as they may choose.

(vii) In order to secure with certainty some votes of the Upper Class voters, at least one vote of each Upper Class voter should be reserved exclusively for the candidates of Depressed Classes, out of his total votes, if not, one additional vote may be allowed for this purpose.

5. REPRESENTATION OF LABOUR.

Several of the men from the Depressed Classes are employed in mills, workshops and factories and many of them are agriculturists and in order to ensure some representation for them, it is advisable that, at least 1 to 2 *additional seats* for " Industrial " and the same number for " Agricultural and Plantation " labour repre-

sentatives, *exclusively from the* Depressed Classes, should be provided, both in the Provincial and Federal Legislatures, whether they are organized or not.

5. (*a*) REPRESENTATION OF SPECIAL INTERESTS.

I have no suggestion to make.

II.—THE FEDERAL LEGISLATURE.

(*a*) Reasonable number of seats should be reserved in the " *Upper Chamber* " of the Federal Legislature for the representatives of the Depressed Classes of British India and they should be distributed (say at least one seat for the Depressed Class members of each Provincial Legislature and one for the Federal Lower Chamber) and the election of the candidates for these seats should be decided by majority of votes, exclusively of the Depressed Class members of each Provincial Legislature and of the Federal Lower Chamber respectively and not by a single transferable vote of all the members of these two Houses.

If no seats in the " *Upper Chamber* " are unfortunately reserved for the Depressed Classes, then the candidature for the seats in this House should be restricted to the members of the Provincial and Federal Legislatures and in this case the system of a single transferable vote may be applied for the election of the candidates of the Depressed Classes.

(*b*) Seats for the Depressed Classes should also be reserved in the " *Lower chamber* " of the Federal Legislature in proportion to their total population in the British India with the proviso that none of the elected members of the Provincial Legislature will be allowed to stand for these seats nor should it be confined to any particular areas but be kept open for one general constituency of each Province, so that some person may not be in more than one Legislature and that the defeated candidates of the Provincial Legislature or those persons who could not stand for election of the Provincial Legislature for some unavoidable circumstances may get the chance of competing for the seats.

(*c*) The franchise qualifications for the " *Lower Chamber* " of the Federal Legislature should, in the case of Depressed Classes, be the same as for the Provincial Legislature and the election of the candidates should be by direct electorate similar to that for the Provincial Legislature.

I again emphasize my firm conviction that a mere extension of the franchise is not calculated to improve the lot of the Depressed Classes as an adequate number of reserved seats in all the Legislatures, which alone can act as a lever of sufficient potency to lift them steadily from their present deplorable condition in which they have been stagnating so long, and which would prove a stepping stone for the real emancipation in all the spheres of their life.

Mr. BALOO BABAJI PALWANKER, Representing the Chambhar Community.

1. *The Chairman :* You represent the Chambhar community, Bombay ?—Yes.

2. Would you tell us the population of that community ?—Our number in the Presidency is 2½ lakhs.

3. Would you tell us exactly where you differ from the evidence given by the previous witness ?—I differ from him with regard to the system of elections advocated by him. I am in favour of joint electorates with reservation of seats and against separate electorates.

4. In what other respects do you differ from the previous witness ?—I think that instead of having different kinds of qualifications for the franchise, it would

be better to have adult suffrage. If it is found that by fixing the age limit at 18 the number of voters of our communities will be too large, there should be some restriction. If that is done it will overcome all difficulties and will be acceptable to everybody.

5. Would you be in favour of the group system for the depressed classes ?—That will work if reservation of seats is given. But I would prefer adult suffrage with the limit suggested by me to the group system. If the franchise is sufficiently lowered it would practically mean adult suffrage with age restriction of, say, 20 or 21 years.

6. Supposing you do not get adult franchise, would you accept the proposals of the Bombay Government which will enfranchise 13½ per cent. of the population on the basis of a lower property qualification and the educational qualification or would you like to have a special qualification for the depressed classes or do you think that the existing thing is quite satisfactory ?—I am emphatically of the opinion that adult suffrage will satisfy our needs.

7. Supposing that is not practicable, on that hypothesis, what qualifications would you have for enfranchising the depressed classes ?—Then, as suggested in my written answer, in addition to the property qualification, I would have the literacy and military service qualifications and also franchise for females.

8. On that basis again, very few depressed classes will get the franchise ?—Yes. But I have stated that the franchise should be so lowered as to bring in 25 per cent. of our community on the electoral roll.

9. *Mr. Tambe :* You have been a member of the Hindu Gymkhana for a number of years ?—Yes.

10. For how many years ?—For more than three decades.

11. Practically from its formation ?—Yes.

12. All caste people come there ?—Yes.

13. *Dr. Ambedkar :* Mr. Tambe asked you whether you are a member of the Gymkhana ?—Yes.

14. Have you anything to complain about the treatment that you received there ?—I am quite satisfied with the treatment that I get there.

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15. Are you aware that separate electorates for the depressed classes now exist in the Poona and Sholapur municipalities ?—I am sorry to say that I have not been able to study the details of the administration or representation in places other than the Bombay city.

16. *Mrs. Subbarayan :* You say that it is presumed that there is no restriction for females to stand as candidates for the Provincial Legislature ; if so, the females should go to the Legislature by election, the same as the males do, and not through co-option ?—Yes.

17. When the suggestion for co-option was made it was understood that women would be allowed to seek election in the ordinary way ?—Yes.

18. But as it was thought that it was not likely that an appreciable number of women would be returned, it was suggested that a certain number of women should be co-opted by the legislatures to ensure the presense of women on the legislatures. I am not quite sure if you understood clearly what the suggestion was. The proposal for co-option does not debar women from seeking election in the ordinary way ?—Co-option means nomination. I should think that they should come into the legislatures on their merits.

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19. Do you object to the principle of reserving a few seats for women to make sure that they will be on the legislatures ?—You may reserve seats, but let there be an election or some other method than nomination or co-option.

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20. *Sir Sunder Singh Majithia :* Tell me whether the condition of the depressed classes has improved from what it used to be some years ago or whether it is stagnant ?—It has not improved.

21. There is no difference in the attitude of the high caste Hindus to the depressed classes during the last 20 years ?—There has been no radical change.

22. Education has not brought about any change at all ?—Where is the education ? We are deprived of it for want of funds.

23. *Sir John Kerr :* What is the main occupation of your community ?—50 per cent. of them do business in leather goods and some of them are agriculturists and some are workmen in mills, workshops and factories.

24. Are they of the same community as the Chamars in Northern India ?—Yes.

25. You find members of your community in every village ?—In small numbers.

26. *Mr. Haji :* You told us that to a certain extent, the depressed classes are dependent upon the goodwill of the upper classes. Is that correct ?—Yes.

27. As such, the upper classes will influence the depressed class voters when the franchise is extended ?—Yes.

28. Is it correct that if the franchise is extended the depressed classes in the joint electorate will not be able to secure representation ?—Yes.

29. Will they be able to get a candidate of their own choice elected in the general electorate ?—No.

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Memorandum submitted by the BOMBAY MILLOWNERS' ASSOCIATION.

My Association regret they are not in a position to do anything more than express their general views on the question of the extension of the franchise, and they have very little to add to the reply which was communicated by them to the Deputy Reforms Officer on the 9th June, 1931, copies of which are herewith enclosed. There are some matters, however, arising out of the Questionnaire on which, though they may not call for any expression of views at this stage, my Association would like to say a few words :—

(1) The Association at present enjoy continuous representation on the Bombay Council, and a representation alternately with the Ahmedabad Millowners' Association, on the Legislative Assembly. I do not know whether questions of this character are to be considered at this stage of the Franchise Committee's deliberations, but I would like to take this opportunity of emphasising the claim which my Association has always made for continuous representation on the Provincial and Central Legislatures. In due course, my Association will be glad to submit their views in greater detail.

(2) On page 5 of the Questionnaire, it has been assumed by way of a working hypothesis that the number of members of the Lower Chamber should be approximately 200. I am directed to state that this number would be quite insufficient for the purpose of giving due representation to all the interests involved.

(3) In the same connection, I would like to point out that the number of seats tentatively allotted to Bombay in the Report of the Federal Structure

Memorandum from the BOMBAY MILLOWNERS' ASSOCIATION. [*Concluded.*

Committee is not commensurate with the importance of the Presidency, and it is submitted that the question should not be considered entirely from the point of view of the size and population of the province.

If the Franchise Committee at any time desire an expression of my Association's views with regard to any of the subjects referred to above, I shall be glad to submit a full representation.

Bombay, 9th June 1931.

From the Secretary and Returning Officer, Millowners' Association Constituency, to the Deputy Reforms Officer, Reforms Office, Bombay Castle.

Subject.—MATERIAL FOR SUBMISSION TO THE FRANCHISE COMMITTEE.

With reference to your letter No. 24-V/558, dated the 11th May 1931, I am directed by my Committee to reply as follows. My Committee do not propose to do more than offer a few general observations. They do not desire to make any detailed proposals at the present stage.

My Committee are in favour of an extension of the franchise, and they think that the proposal to bring the number of voters up to 10 per cent. of the total population goes far enough in the present circumstances of the country. With the spread of education and the acquisition of greater familiarity with representative institutions, further extensions will be necessary, but before that stage is reached, it will be very inadvisable to enfranchise all at once large masses of people unaccustomed to the use of a vote. The proposal to enlarge the electorate up to 10 per cent. of the population is fair and constitutes a sufficient advance upon present conditions to make it acceptable generally.

As regards qualification, my Committee are of opinion that both property and educational qualifications should entitle a man or a woman to a vote. The qualification will differ widely with provinces, and in some cases with communities. While a uniform franchise for all elements of the population in a given area may be desirable, in the transitional stage it may not be found possible to lay down a uniform qualification without hurting the interests of minorities or of classes whose economic position or state of education is calculated to place them at a disadvantage in relation to other classes and communities.

My Committee recognise the enormous importance of a proper system of franchise to the working of representative institutions, and would urge that before final decisions are taken, the fullest opportunity should be given to all sections of the public to review the findings of any committee or commission which may be set up to examine the problem.

Mr. J. B. PETIT, Representing the Bombay Millowners' Association.

1. *The Chairman :* You are representing the Bombay Millowners' Association ?—Yes.

2. You are a member of the Provincial Franchise Committee ?—Yes.

3. How many members are there in your Association ?—About 80.

4. Do you represent all the millowners of the Presidency ?—Yes, almost all, excepting of course those belonging to the Ahmedabad Millowners' Association.

5. All the mills ?—Very nearly all.

6. Can you give us any idea of the capital invested ?—It is about Rs. 40 crores.

7. I understand you are mainly concerned with getting an alteration in the method of representation of the Chambers ?—We want continuous representation.

8. At present you have representation alternately with the Ahmedabad Millowners' Association ?—Yes.

9. What is the total representation you propose for Commerce in the Council ?—In the local Council we have got at present, so far as Indian Commerce and Industry are concerned, two members representing the textile industry, one for Bombay and another for Ahmedabad, and one representing the Indian Merchants Chamber and Bureau. That is the present strength.

10. What is your proposal for the future ?—So far as the textile industry is concerned, the present representation should continue. And in the Assembly we should have continuous instead of alternate representation as at present.

11. That means you want two seats ?—Yes, one for Bombay and another for Ahmedabad.

12. Would that apply to a House of, say, 200 ? Or even in a House of 150 would you want one representative for each association on the ground that it is very important and requires special representation ?—Quite so.

13. That is the point you want to bring out ?—Yes.

14. *Diwan Bahadur Ramaswami Mudaliyar :* May I know whether in your association there are Europeans and Indians or only Indians ?—There are Europeans and Indians.

15. And you have been able to send also Europeans as your representatives occasionally ?—Yes. Whomsoever we consider competent.

16. In the Assembly as a matter of fact, Sir Victor Sassoon represented you ?—Yes, he represented us at one time.

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17. *Khan Bahadur Aziz-ul-Huque :* Will you tell me who constitute the Bombay Trades Association and the Indian Merchants Chamber and Bureau ?—The Indian Merchants Chamber consists almost entirely of Indians and the Bombay Trades Association consists of the tradesmen of Bombay. I think it is almost entirely European.

18. *Mr. Butler :* We are informed that your interests clash with those of the Ahmedabad Millowners' Association. Is it so ?—Owing to geographical and other reasons, interests which appear to be identical are very often different. For instance, labour problems are very different in Bombay from those in Ahmedabad. Then the quality of cotton required in Bombay is different from that required in Ahmedabad, and so forth. Although the interests in the main are identical, in details they are very different. So our problems are different.

19. There have been specific instances of this in the Council ?—No specific instances, excepting that Ahmedabad allows itself to be led by political considerations more than Bombay.

20. You mention the size of the Legislature as 200. Are you suggesting a size of 200 in order to get yourself included ?—That is irrespective of that consideration. Personally I am of opinion that a house of 200 is a bit too big. But even if it is 150 we ought to have a seat each.

21. If you get your representation, *i.e.*, one seat, do you imagine that it will cause a great many organisations to make applications as well ?—I do not think so. The position of the textile industry is unique in the Western Presidency.

22. *Sir Muhammad Yakub :* Are there any Mussalman members in your association ?—Yes.

23. How many ?—Sir Currimbhoy Ibrahim's firm. There are one or two more. There are very few Muhammadans in the Textile Industry really.

24. *Sir Zulfiqar Ali Khan :* You said there are two seats for Millowners, one for Ahmedabad and one for Bombay.—The Ahmedabad Association is a distinct association by itself.

25. Your association comprises Bombay also ?—Bombay and other people who join from the rest of the Presidency.

26. Are there any other millowners in addition to your own outside Bombay ? —Yes. The Sholapur mills are there. Those which are nearer Ahmedabad are comprised in the Ahmedabad Association. Those which are near Bombay City come into the Bombay Association. There are mills in various parts of the Presidency.

27. Is it possible for you to form a Millowners' Union ?—That possibility has not been considered yet.

28. *Sardar Mutalik:* Do you think that this alternate representation in the Assembly is good for the interests of the industry ?—It is very unsatisfactory. That is why we are asking for continuous representation.

29. In your statement you say that for ten years this representation should be done away with ?—We do not say that. It is the Ahmedabad Association that says that.

30. *Rao Bahadur Kale:* May I know if there is any representation for non-textile interests ?—In our association membership is not confined only to those interested in the textile industry. All those who use steam or electric power in factories can be made members.

31. What percentage of members come from Bombay and what percentage from outside centres ?—Possibly 98 per cent. from Bombay and 2 per cent. from outside. Smaller factories will not join, generally.

32. The fees for your membership are high ?—For smaller factories like ginning and pressing concerns, the fee is Rs. 50 a year in a lumpsum.

33. *Rao Bahadur Angadi:* Do you think it necessary to have special representation in the local Council ?—Yes.

34. Why ?—Because our interests are so big.

35. Don't you think your interests are properly represented in the Assembly rather than in the Provincial Council ?—I thought your question first referred to the Provincial Legislature.

36. I take it that your interests are more adequately represented in the Assembly than here ?—There are occasions on which local legislation may be undertaken. For instance, on questions of labour, or child and maternity welfare. Those are all local matters and our opinions, if I may say so, have been welcomed by the local Government.

37. Do you think one or two members of the Association will have any effective voice in a legislature of 200 ?—Not much, but our representatives would be able to put our point of view before the legislature. But the real point is this. We can see that no undue influence is exercised against us.

38. *Rao Bahadur Asavale:* Don't you think that in the Legislative Assembly more than one member generally represents you, one from the Millowners' Association and one from the general electorate ?—We are represented only by one member every alternate election.

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39. In the written statement it is said: "I would like to point out that the number of seats tentatively allotted to Bombay in the report of the Federal Structure Committee is not commensurate with the importance of the Presidency and it is submitted that the question should not be considered entirely from the point of view of the size and the population of the province." Do you suggest that some weightage should be given to Bombay in the Federal Legislature ?—That is exactly what we mean.

40. What is the weightage you mean ?—About 4 to 5 seats more than we have been allotted already.

41. *The Chairman :* What is the basis or the method by which your representative is elected ? Is it by voting by firms or by individuals ?—All members vote as such.

42. And who are entitled to be members ? Is it the firm ?—The mills.

43. When you say mills, is it the company or private individuals ?—If they are private individual owners, they vote. If they are companies, the director or agent is entitled to vote.

44. Is it the commercial unit or the personal unit ?—It is the commercial unit.

45. Any man who is a millowner can become a member ?—Yes, or a director of a company.

46. These are statutory rules ?—Yes.

47. *Diwan Bahadur Ramaswami Mudaliyar :* Instead of your millowners being given the right to send a representative, have you any objection to an electoral roll being prepared of all the millowners and that constituency being asked to send a representative ?—It would practically come to the same thing, because about 95 per cent. of the mills in one Presidency are members either of the Bombay or the Ahmedabad Association.

48. There is one advantage. There can then be no question of the seat being vacant ?—At present that question does not arise, at least so far as Bombay is concerned. But when it does, it can be prevented differently.

49. How ?—By making it impossible for political considerations to be imported into it.

50. *Mr. Bakhale :* Have there been any contested elections on behalf of the Millowners' Association ?—Yes, there have been.

Memorandum submitted by the NATIONAL SEAMEN'S UNION OF INDIA, BOMBAY.

PROVINCIAL LEGISLATURES.

EXTENSION OF FRANCHISE.

This Union is of opinion that, to attain the goal of universal suffrage as early as practicable, it is essential to widen the franchise in such a way as to enfranchise a fairly big proportion of the population, and that this percentage, to begin with, should not be less than 25 per cent. of the total population.

(*a*) It is suggested that to secure enfranchisement of an adequate proportion of the population, the franchise in the City of Bombay should be lowered from the present Rs. 10 rental basis to Rs. 4 rental basis. With regard to the urban areas excluding Bombay City, franchise should be lowered to half of what it is at present ; and in the rural it should be lowered to one-fourth of what it is now. We suggest this Rs. 4 rental basis as being necessary for Bombay City, as it is not feasible to introduce the group system in the City ; while in the rural areas, in addition to quartering of franchise the group system should also be introduced.

(*b*) Yes.

(*c*) Yes.

(*d*) Does not arise.

(*e*) We do not consider it necessary to enlarge the electoral roll beyond what is stated in answer to (*a*).

Memorandum from the NATIONAL SEAMEN'S UNION OF INDIA. [*Continued.*

(*f*) We are of the opinion that group system is feasible only in rural areas where the unenfranchised population may be enfranchised, one spokesman for each group of 21 being entitled to vote in the same constituencies as the directly qualified voters. No separate constituencies need be set up for the voters under the group system.

(*g*) We are nor in favour of this.

(*h*) No. Besides the existing direct electorate the group system should be resorted to in rural areas as an additional method of enfranchisement.

(*i*) 1 to 21. The Government administrative machinery such as Patils and Talatis in consultation with a representative committee in each village should be charged with the duty of electing spokesmen of the groups.

(*j*) No.

2. FRANCHISE QUALIFICATIONS.

(*a*) Yes. There is disparity in the operation of the franchise qualifications because a smaller percentage of the rural population has been enfranchised as compared to the urban population. To rectify this disparity we beg to refer to our answer to question 1 (*a*).

(*b*) Yes. We are of the opinion that all existing separate electorates should be retained except the landlords' constituency. As for labour we suggest that a separate electorate in the form of registered trade union constituency similar to the one existing in the Bombay Municipal Corporation should be adopted. Reservation of seats in the general Non-Muhammadan constituency should be retained for the Marathas as at present and reservation should also be provided for the Indian Christians.

(*c*) No. We beg to refer to our answer to 1 (*a*).

(*d*) No. We strongly oppose any proposal to introduce a qualification based on education for this reason that such introduction would lead to enfranchisement of the adults in the forward communities while it will be a great handicap to the political progress of the backward communities who are labouring under lack of education.

(*e*) Yes.

3. WOMEN'S SUFFRAGE.

(*a*) We are in favour of property qualification for women and in addition we suggest that a greater proportion of women be enfranchised by the method of group system, one spokesman being allowed for every seven women. This will have the effect of enfranchising a larger adult population of women so as to minimize the present disparity.

In the case of Muhammadan women special arrangement for recording their votes must be provided, for otherwise there is a reasonable apprehension of the Muhammadan women franchise not being exercised.

(*b*) There should be separate groups for women only.

(*c*) If women are not returned to the Provincial Legislature from the general constituencies the Provincial Council should be given the right to co-opt not more than three women including elected ones.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

In regard to this matter, we are in favour of adequate representation being given to Depressed Classes in the form and by the method which they themselves would like best.

Memorandum by the NATIONAL SEAMEN'S UNION OF INDIA. [*Concluded.*

5. REPRESENTATION OF LABOUR.

Even if franchise is widened, as suggested above, there is no chance of labour being adequately represented on the Legislatures from the general constituencies. To properly safeguard the interests of labour, therefore, it is absolutely necessary to have a separate constituency for organized labour as shown in answer to 2 (*b*) above, and in the case of unorganized labour we suggest that, until they are organized, there should be a separate electoral roll of all industrial labour including that in factories and docks, and they should elect their own representatives through their spokesmen in the ratio of 1 to 21.

5 (*a*). REPRESENTATION OF SPECIAL INTERESTS.

We suggest that special representation by election be provided for all special interests referred to in the question except Mining and Landholders.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

We recommend that in the Lower Chamber of the Federal Legislature, Bombay Presidency should be given 32 seats instead of 26 suggested by the Federal Structure Committee.

(*a*) If there is to be direct election to the Upper House we suggest that the franchise be so widened as to enfranchise all income-tax payers and all members of the local bodies and Provincial Council since 1921. In the alternative we suggest that the representatives of British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislatures by a single transferable vote.

(*b*) Yes. The franchise for Federal Legislature should be the one that at present exists for the Provincial Legislature. As an alternative we suggest that the representatives to the Lower Chamber be also elected by the Provincial Legislature by a single transferable vote.

(*c*) We suggest that the size of the constituency should be reduced so as to make it a single-seat constituency.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

We suggest the adoption of the same system of representation for women, labour and the Depressed Classes in the Federal Legislature as suggested for them in the Provincial Legislature.

8. GENERAL.

We will offer our general observations on this item after receiving another questionnaire.

BOMBAY.

Dated 9th March, 1932.

PRESENT :

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE BOMBAY PROVINCIAL FRANCHISE COMMITTEE.

Mr. SYED MUNAWAR, Representing the National Seamen's Union.

1. *The Chairman :* You represent the National Seamen's Union of India ?—Yes

2. Is it a duly registered Trade Union ?—Yes, of 5 years' standing.

3. Can you tell me the membership ?—A little over 25,000.

4. And of course it has its accounts audited annually in the ordinary way ?—Yes, and the annual report of the audit is sent to the Registrar of Trade Unions under the provisions of the Trade Unions Act.

5. You propose, in the interests of labour franchise in the city of Bombay, to reduce the rental basis from Rs. 10 to Rs. 4 ?—We suggested that as an alternative, but we are strongly in favour of adult suffrage.

6. Have you any idea as to what number of people that would bring on to the roll ?—I have not worked it out.

7. So far as Labour is concerned as a special interest corresponding, say, to the special interests of capital, such as Industry or Commerce, do you think the Trade Unions should be the basis of that representation ?—The Trade Unions will serve as a good basis in this way, that they afford a constituency to be dealt with easily.

8. Let us assume that there is a Trade Union constituency for special labour seats, how would they vote ?—If there are 1,000 members and there are 5 delegates representing them on the electoral roll, that is the electorate for the representation of labour.

9. All those 5 delegates are elected or nominated by the Trade Unions or the Trade Union executive ?—They are elected.

10. A proposal has been made that the depressed classes should have a separate electorate. Do you propose that labour should also have a separate electorate?—Labour as a whole should have separate representation.

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11. *Mr. Bakhale :* You went to England years ago in connection with the International Labour Conference ?—Yes.

12. And you came into contact with a few Unions in England particularly ?—Yes.

13. You have seen their working also ?—Yes.

14. Having regard to the fact that the growth of the Trade unions in Bombay and India is of recent origin and having regard to certain other disabilities under which the movement has to work, can you say, in comparison with the Trade Unions in England, that our Unions function properly and also are fairly representative ?—I should think so because the Trade Union movement in India can be traced

to only as far back as 1918 and then there was no regular formation of Unions. After that and during the space of a little more than a decade I think the Trade Unions in India have made very good progress and I think in a decade or so more, if the economic conditions improve and also other factors which are adverse to the spread of the Trade Unions in India are conquered, I think the Trade Unions have very good prospects.

15. And therefore there should be no objection to the Trade Unions being made the units for electing representatives to the Legislative Council ?—Exactly.

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16. Supposing adult franchise is not possible on account of the large number of the population and so on, do you consider it possible to enfranchise adults above a certain age, say 28 or 32, so as to make the number of voters small in order to make administration possible ?—In this scheme there will be no class distinction. Everybody above a particular age will be enfranchised. If adults above 25 or 30 are to be enfranchised, it should not be administratively difficult in that case to prepare a roll, but the argument is advanced in big cities like Bombay and Karachi that as there is a floating population, it will not be administratively possible to prepare the roll even of adults over 25 or 30 years of age; but that difficulty can be solved by having a residential qualification. If it can be attested by a Justice of the Peace or a Municipal Officer that an adult of over 25 or 30 has been living in Bombay city for three or six months, with this higher age limit *plus* this residential qualification provided for enfranchisement, even in big cities like Bombay, I think it should be administratively feasible.

17. You further advocate in your memorandum a separate electoral roll for unorganised workers. I take it that you mean unorganised industrial workers ?—Yes, for those who are not on the rolls of registered Trade Unions.

18. Not agricultural workers ?—No; for them I have suggested the group system.

19. Supposing there are Trade Unions in a particular industry where also unorganised workers exist, don't you think it more desirable from the point of view of the workers to give representation to those Trade Unions rather than to unorganised workers so that the Unions may be stimulated to a very great extent and workers will attend the Trade Unions more than they are doing to-day ?—That is why I suggest that Trade Unions are more convenient and if Trade Unions are given the right to elect representatives of labour to the Councils, the unorganised workers in the industry will be given an impetus to join the organisation and though registered Unions may represent only 10 or 20 per cent. of the industrial population to-day in a particular industry still that will serve as a basis and the representatives of that Trade Union will certainly safeguard the interests of unorganised labour which has not come into the fold of that organisation.

20. There may be some agricultural workers and they must be represented on the legislature. Instead of securing for them nomination through the Government, would it not be better if a certain number of seats were reserved in the general electorates for them ?—I think the latter alternative would be better.

21. *Diwan Bahadur Ramaswami Mudaliyar:* You are for adult franchise ?—Yes.

22. Immediately ?—Yes.

23. I want to know whether you think it is feasible ?—It is feasible.

24. Will you kindly let us know how you will work it ? What organization would you have for recording these votes ?—The organization for the recording of votes is the business of Government. Government should have the necessary machinery for preparing the roll, etc.

25. But considering that the Government will be yours and mine in the future and you and I will have to organize this, will you tell me what machinery you contemplate to record these adult votes ?—In big cities there may be a representative committee of citizens to help Government or the municipality concerned in the preparation of the electoral roll. There will be a large number of volunteers. Similarly in the rural areas, the Taluka Boards, District and Local Boards, there may be some such suitable machinery.

26. I was not considering so much the question of the preparation of the electoral roll as the question of finding Presiding and Polling officers ?—With regard to polling officers also, voluntary workers will not be found wanting.

27. I will be quite frank with you. There is an impression which I want to combat at a very early stage that some of us do not consider that adult suffrage is feasible and that we want to force the feeling on others that it is not practicable. So far as I am concerned I have kept my mind perfectly open on the question and I think I am voicing the feeling of our Committee when I say that. I think it will be a distinct advantage to us if gentlemen like you who advocate immediate adult franchise will let us know how it can be worked and would devise some means which we can recommend for adoption. Do you think that voluntary polling officers and presiding officers will be acceptable to candidates and that there will be no question of party prejudice about all these voluntary presiding officers ?—I think there should be no prejudice because if there be two or three presiding officers at a certain polling station they will be able to supervise the work of the polling officers who will be voluntary workers and there ought to be no prejudice in the mind of these polling officers against any section of the public and the candidates will not be prejudiced against them.

28. If you will pardon me, the great thing is to get as presiding and polling officers nonofficials who will be unattached to party politics and who will have no interest in the result of the elections and who will not be suspected of taking sides either with one candidate or with the other. Do you think that for the introduction of adult franchise you will be able immediately to get such a number of voluntary workers who will be fair and, what is far more important, will be considered to be fair by the rival candidates and parties ?—I should think so, because there is a large number of Government pensioners and retired municipal officials and others who if called upon to serve the country's cause as polling officers will be able to work with an unbiassed and open mind and without showing any partiality to any of the candidates. The presiding officers will be Government officers or municipal officers who are at present in service and they will be able to control the elections. There ought to be no difficulty on that score.

29. In case adult franchise is not practicable, I understand, your scheme is to enfranchise directly as many as possible and to have a system of group voting for those who remain still unenfranchised ?—Yes, for the unenfranchised residue of the population.

30. Would you consider that as being in violent conflict with the ideal of adult suffrage ?—Not at all.

31. You will, as a matter of fact, regard that as a helpful step in the direction of adult suffrage ?—Yes. That is why I have made this suggestion. If adult suffrage is not considered to be immediately practicable I suggest this alternative.

32. If the Committee were to recommend this system, which has been called the hybrid system,—enfranchising as many as possible as direct voters and grouping the unenfranchised population—would you feel, as an advocate of adult franchise that the Committee had gone as far as it could to meet your wishes ?—Yes.

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33. Like all other Bombay witnesses you want further weightage so far as the Lower House in the Federal Legislature is concerned ?—Yes.

34. You suggest 32 seats instead of 26 ?—Yes.

35. As is the case with other major provinces ?—Yes.

36. What are the special considerations which make you say that the 20 millions in Bombay should be given the same representation as the 50 millions in the United Provinces ?—In view of the fact that this is the premier industrial province, in view of its commercial importance in the whole of India and in view of the fact that it is a very advanced Presidency in various respects.

37. After taking the population representation would you give the balance of the seats to commerce, industry and labour alone ?—I am not so selfish as to say that only labour should get or only commercial interests should get them. All the classes in the Presidency are entitled to have a share.

38. I come from Madras where there is a large agricultural population and your agricultural population is more or less in the same stage as compared to the agricultural population in Madras. Why should the agricultural population in Bombay have weightage ?—If the agricultural population in Madras are entitled to 26 seats on the population basis, the agricultural population in Bombay will be entitled to 13 seats on the same population basis. Then whatever is extra give it to commerce, industry and labour because you say that it is the special prerogative of Bombay, to be dominating in commerce ?—I have no objection.

39. But why do you want weightage to the agricultural population of Bombay at the expense of the agricultural population of Madras and United Provinces ?—I do not suggest that the agricultural population alone should be given the full weightage. A share should be given to all classes. Industry and commerce should be given a due share. Industrial labour should also have its share.

40. Therefore after equalising the representation of the ordinary agricultural population on the population basis from province to province, would you agree to any special weightage that may be given, going to commerce, industry and classes connected with commerce and industry in the Bombay Presidency ?—Yes.

41. You realise that the numbers would work out differently then ?—Yes.

42. *Khan Bahadur Aziz-ul-Huque :* I have not been able to understand Mr. Bakhale. If adult franchise is not a possibility, he proposed to enfranchise all adults over the age of 30. Do you agree to that ?—If that is found practicable that would be very good.

43. Are you aware that quite a number of members of this Committee and your Committee, if the age is fixed at 30, will not be enfranchised ?—No, not a single member will be excluded.

44. Do you think, in pursuance of the proposition that was stated by Dwan Bahadur, it will be possible, taking the Bombay Presidency as a whole, to get the requisite number of Government pensioners at the age when they are not considered fit for Government service. You have said in answer to the proposition that non-official agencies would be available, that you can have Government pensioners. Do you think it is a practicable proposition in a Presidency like Bombay ?—I mentioned pensioners as an example of voluntary workers. I do not restrict the voluntary workers to the class of pensioners only. There are numerous responsible members of recognised organizations in the Bombay Presidency who can also be called upon to serve as polling officers.

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45. *Lord Dufferin :* Do you agree that the seamen's industry is a minority of the total industries of Bombay city ?—It is not a minority. It is a big industry.

46. There are about 250,000 workers in Bombay. Are there more than 125,000 seamen ?—There are about 75,000 seamen.

47. Then you *are* a minority. You have said that there should be a separate constituency of trade unions and there should be weightage according to numbers

in a trade union. It means that the members will be elected by the bigger trade unions. That means that the members will be elected by a minority of a minority. Then again, about 25 per cent. of the seamen, at any rate, will be at sea at any given period ?—At any given time.

48. I suggest that at least half of the remainder are at their homes and are having a holiday ?—Yes.

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49. *The Hon'ble Mary Pickford :* I am glad that your Union is in favour of a generous franchise for women. You want separate groups for women. Perhaps all these recommendations are due to the fact that the seamen's occupation takes them generally away from their wives ?—I am asking for their franchise looking at their social disabilities and their difficulties in coming into contact with men. I think, therefore, that it would be better if women are given separate groups so that they can move freely and have their votes recorded at polling booths.

50. *Sir Sunder Singh Majithia :* You are in favour of adult suffrage ?—Yes.

51. You realise the difficulties of registration. Would you agree to leave it to the adults to apply for registration or would you leave it to Government to register all those adults ?—We will leave it to the Government.

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52. You don't want the educational qualification ?—The educational qualification is not necessary. It should not be looked upon as a basis of enfranchising people.

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53. You have retained all other special interests excepting Mining and Landholders. May I know the reason why you have made that exception ?—They are already represented through the general constituencies. They are represented through the Merchants' Chambers and through other industrial organizations. Through the general franchise qualifications also they come in. Why should there be any separate representation for landholders ?

54. Do you think that in the atmosphere prevailing in the country and the relations that exist between the tenants and the landlords, the landlords in future will have an opportunity of getting elected to the Council ?—Even now more than 50 per cent. of the members in the Council are landholders.

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55. As regards the depressed classes you have said that the form and method of giving them adequate representation should be such as they themselves like best. Would you suggest any form or would you leave it to them ? Do you think that the depressed classes as such would be able to give the form and method ?—That is what I mean. I can amplify my statement by saying that they should be given separate electorates to safeguard their interests. In the present state of their social disabilities they should be given the franchise on the same terms as labour because they are in the same plight, owing to their disabilities, as labour.

56. Won't you have it in the form given here ?—It may be in any form, group system, adult suffrage or separate electorate.

57. With the representation given to them and the franchise qualifications provided for them, don't you think that they would get elected in the ordinary course ?—Not at all. They would not be able to secure proper representatives at the general election. There is no chance for them to secure it. That is why I suggest that their interests have to be safeguarded by a separate electorate.

Mr. SYED MUNAWAR—Re-examined.

58. *Mr. Haji :* I understand that you want the same franchise for the local legislature to select your representative from the trade union as obtains now for elections to the municipality ?—Yes.

59. For organised labour you want franchise on the same basis ?—Yes.

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60. *Sardar Mutalik :* You say that the landlords do not require any special representation ?—Yes.

61. Is that your personal view or that of your union ?—That is the view of the union.

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62. When labour requires special representation, why do you say that landholders do not require special representation to place their point of view before the Council ?—To prevent exploitation of labour by employers and capitalists and to safeguard their interests properly, labour should have separate representation and those who are connected with labour closely and have been evincing keen interest in the cause of labour alone are supposed to be conversant with the problems affecting labour. That is why proper representatives of labour should be elected by trade unions to represent them in the Council. Landholders do not require a separate constituency as a number of them are returned through the general electorates.

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63. You want to see that the labour point of view is always placed before the Legislature ?—Yes.

64. Don't you think that the other interests also should place their points of view before the Legislature ?—This is not a small interest.

65. *The Chairman :* The question is this. You say specifically that labour point of view should always be represented in the Council. If you take that view, don't you think that the point of view of landlords also requires to be put before the Council ? Do you think that capital as well as labour must be represented ?—Capital and labour must be represented.

66. You agree to that ?—If labour gets representation, capital also should get representation. But his suggestion is with regard to landlords, for whom I am not in favour of special representation.

67. *Rao Bahadur Asavale :* You have stated that landlords should have representation ?—No.

68. You stated that their interests can be represented by their representative through the general electorate ?—Yes, they are over-represented at present.

69. Through the general constituency they could represent their case, and they send their representatives through the general electorate. Is it not a fact ?—They can easily do so.

70. So they should not be given a special electorate ?—There is no need for any special constituency for landholders.

71. *Mr. Covernton :* In your proposal about organised labour you say that organised manual labour should have a separate electorate in the form of Registered Trade Union constituency similar to the one in vogue in the Bombay Municipal Corporation, etc. As regards unorganised labour you have provided for a separate roll of spokesmen. Should these spokesmen also be in the labour constituency or they may be in the general constituency ?—There should be a special constituency. If the trade union constituency is to be the only constituency for labour, organised as well as unorganised, the question of separate electorate for unorganised labour does not arise.

Mr. J. F. GENNINGS, Bar.-at-Law, Director of Information and Labour Intelligence.

1. *The Chairman:* Mr. Gennings, will you please tell us what your official position is ?—I am Director, Labour Office, Registrar of Trade Unions, and Commissioner for Workmen's Compensation.

2. You have not put in any statement, I understand ?—No.

3. Will you give us briefly the number of Registered Unions and their membership in this presidency ?—There are 38 registered unions with a membership of 65,405.

4. What is the industrial or factory population of this province ?—I think the factory population is about 370,000. That does not represent the entire industrial population, because it does not include railway men or seamen or people who are not employed in industrial establishments. This number represents persons who are employed in factories within the meaning of the Factory Act.

5. Are they all adults, or does the number include young persons also ?—They are all adults except for about 4,000 children.

6. Can you give us particulars of young persons engaged in factories ?—Their number is 4,389—3,597 boys and 792 girls.

7. *Major Milner:* Does it include dockyard workers ?—No. I may add, however, that the industrial population of the Bombay Presidency, according to the census classification, is about a million and three quarters.

8. *The Chairman:* What is the basis of that classification ?—I think it would include all people like carpenters, blacksmiths, village workers as well as workers in small towns.

9. You have no figure for the industrial population apart from village workers including seamen, dockyard workers and so on ?—There is no figure separately for that.

10. What is the number of women workers under the Factory Act out of the total of 370,704 ?—77,965.

11. Will you tell us the branches of industry in which trade unions are in your view well organised ?—Seamen and railwaymen are relatively well organised.

12. What about the textile industry ?—That is not organised at all except in Ahmedabad, where it is very well organised indeed.

13. Will you give us the figures for the textile industry and then the number in the unions ?—The total number employed in the Textile Industry in the Bombay Presidency is about 250,000 of which about 30,000 are organised.

14. In the Unions ?—Yes in the unions.

15. The Whitley Commission, I think, reported that there were about 350,000 workers in the textile industry in Bombay ?—That is in British India as a whole. It will be less than that now, I think.

16. What is the figure you gave for the unions ?—30,000. The great majority of them are in Ahmedabad. The total membership in Bombay is nominally about 6,500.

17. What is the other main industry ?—The next strongest is the Dock workers.

18. What is their number ?—Normally in the Port of Bombay there will be about 3,000 to 4,000 of them employed daily.

19. Are they organised in a union ?—Yes.

20. Is there a registered trade union for dock workers in Bombay ?—The Port Trust workers have got a registered trade union. Dockyard labour also has a registered union.

21. I do not know whether you have seen the proposal made by the Provincial Franchise Committee that the trade unions should be the basis for electing a certain number of members to the provincial council to represent labour as an interest as opposed to commerce, millowners, etc. Do you propose that trade unions should be the body which should elect members to the legislative council to represent labour? Do you think that the unions have reached that point of organization and that they are sufficiently well distributed among all the industrial workers that they could be said to represent the interests of labour by any representative elected by them?—I think labour would be as well represented by that method as any other.

22. Have you had any experience of the operation of that system in the Bombay municipality?—No. I have not been in touch with that.

23. *The Hon'ble Mary Pickford:* In the Labour Gazette—a copy of its November number has been given to us, the figures regarding the number of unions differ very much from the figures given by you?—I had hoped to give you the latest issue. The figures I have quoted are from a proof copy of the latest number. There is a considerable reduction in the number of members of unions. This is probably due to the fact that two railway unions amalgamated which had nominally a membership which was given to us in our returns as about 22,000. On amalgamation they came to about 8,000—9,000. There has been a drop in the figures since November. We have given the figures in two forms for registered and unregistered unions. All trade unions supply us with information for our quarterly returns.

24. Is there any substantial number of women engaged in industry outside the textile industry?—In the ginning and pressing factories in the mofussil you have quite a large number of women. There are also women in small industries which do not come under the Factory Act at all like the *beedi*-making industry and so on.

25. Where less than 20 workers are employed or where machinery is not used? Yes.

26. The majority would be in the textile industry?—Yes.

27. Could you give us, either now or later, the membership of the textile unions with the women membership shown separately?—There are only 607 women members in registered trade unions.

28. I think you stated that there are 78,000 women engaged in factories?—Yes. The actual numbers are, 31,404 women in Bombay, 14,190 in Ahmedabad District and 5,219 in Sholapur District. These are the three main textile centres.

29. If the trade union formed the basis for the franchise, it would practically ignore the women workers?—Yes, until the textile industry is organised. In a big union like the Seamen's Union there will be no women at all. So far as the Seamen's Union is concerned there is one point which has not been brought out in the examination of Mr. Munawar and it is this: a great many of these seamen are not British Indian subjects at all and therefore, normally, they would not have the vote. They are Goanese and others. Also in the railway unions which consist of workers on the Great Indian Peninsula Railway and the Bombay, Baroda and Central India Railway, there are not many women. That is the reason why there is such a small number of women in trade unions. The biggest organised industries in Bombay City are those that do not employ women at all.

30. If you could without very great trouble let me have figures regarding the numbers in textile unions and the number of women in the respective unions, I can make a comparison with the total workers?

Mr. Bakhale: I can give it straightaway. At page 10 of the Annual Report of the Working of the Indian Trade Unions Act for the Bombay Presidency those particulars are given.

31. No women are shown as members of any of the six unions found at page 10?—But I would draw the attention of Miss Pickford to the report of the Ahmed-

abad Textile Labour Association which is given at page 262 of the November 1931 issue of the Labour Gazette. Out of 17,673, there are 4,679 women.

They are not registered. It makes no difference to my argument.

32. *Mr. Butler:* You are aware that in the experiment made in Bombay city only 4 out of the 16 unions took part. From your report as Registrar of Trade Unions I find that you have some difficulty in getting figures from the unions. You therefore think it is right to try the experiment generally for representation by trade unions owing to this difficulty of getting the real figures?—If trade unions have got something definite before them, a recognised place in the constitution, then I think their organization will improve. I think that we should hope for improvement in organised labour.

33. Would you tell me why one union only, the railway union I understand, has subscribed for a political fund? What is the political fund?—The political fund is what is constituted under section 16 of the Act, on the lines of the English Trade Unions Act. Members are not compelled to subscribe to that fund.

34. Would you object to any other system of representation provided that it is taken for granted that all of us are willing to give labour representation?—Any system which has a reasonable working basis would be acceptable to me.

35. Considering the figures that you have given as to the proportion of workers who are in trade unions to the total number of workers, would you consider a system which gave for workers in the factories coming under the Factories Act the right to vote, to be more democratic and fairer than one which included only the small proportion in the trade unions?—It would be a more democratic method.

36. Would you agree that your method is more likely to produce in the council members who would be genuine workers?—I do not think it will make the slightest difference.

37. It will give the workers themselves more voice?—That would not matter at all. I am quite certain in my own mind that precisely the same gentlemen who are now nominated by the Government to the various councils and so on, would be elected by the workers.

38. You don't think that the effect of a democratic election would tend to alter their representation?—I do not think that for many, many years to come you will get an actual manual worker elected by the workers as their representative.

39. You have no objection to any other system being tried owing to the comparative failure of this system?—I have no objection, but on general principles, I think you ought to work through organised labour if you possibly can.

40. You heard the last witness who represents one of the best organised unions. In his evidence he said or rather acknowledged that there was unorganised labour and he asked for separate representation for them. Do you think that it would be better to have one uniform system to represent labour rather than have a dual system?—Well, personally I should say that if you adopt a lower rental franchise, you will enfranchise a very large percentage of the population.

41. Will you repeat what you said?—At present the franchise in Bombay is Rs. 10 rental. According to my estimate this means that only 6½ per cent. of the working class population will be enfranchised. If you drop the franchise qualification down to Rs. 8 you would add another 27 per cent. or so to your electorate. If you drop it by another rupee, you would add another 20 per cent. It seems to me that the best way to ensure representation to labour is to bring them in on a rental basis. That seems to me to be the best way to enfranchise labour.

42. You say that under the present franchise it is 6 per cent.?—On the present rental franchise in Bombay the workers are practically not enfranchised.

43. *Lord Dufferin:* If you reduce the rental qualifications, would you require reserved seats for labour?—If you drop the rental qualification as suggested by me, there will be a labour majority among the voters in the three working class wards.

44. Would there be any necessity then to give the franchise to trade unions as well ?—No. I do not think there would be any necessity for that if this is done.

45. Would it not be cheaper, simpler and probably better ?—Yes.

46. What about the qualifications of Ahmedabad and Sholapur workers ?—They are mostly enfranchised. These towns have all got the three rupee qualification.

47. Would you tell me why trade unions do not get registered ?—Well, as regards the Ahmedabad union which is the most important textile union and which is an extremely well-organised one, they are non-cooperators. They are followers of Mr. Gandhi and they have gained a good deal by being associated with Mr. Gandhi. Therefore they non-cooperated in that they did not register.

48. What is the reason for the workers not organising ?—In Bombay city it is due to a large variety of causes. On account of the abortive strikes, textile workers are suspicious of trade unionism.

49. Can you take a factory as a unit for election ? Will not that work ?—Yes, it is a possibility. They will merely be electing delegates as unions do now and I am certain that the same people who now represent labour will be elected by the delegates to represent them in official and non-official committees, etc. I do not think you are going to get any change in the personnel of labour representation.

50. Would there be a clique or anything of that kind formed for the purpose ?—That always happens. In the British Trade Union Congress the miners and transport workers joined together could out-vote any other groups.

51. I am not talking about people coming into the union just for the purpose of getting a share of the seats. What I mean is that it would not be easy for the politician to step in if the constituency is not on a territorial basis ?—Well, they will try to come in as they sometimes do now. We know the people who try to come in on the shoulders of labour. I do not think this other system will help it because politicians will come in as honorary members of the unions and then get on to the executive as allowed by the Trade Unions Act and thus acquire the qualification of candidates.

52. You may have control over the qualifications, but you would not have control over the framing of the rules ?—We have got control of the rules to some extent now under the Trade Union Act. The Trade Union Act definitely lays down that a union cannot have outsiders as honorary members, except to the extent of 50 per cent. of its executive. A man cannot be an ordinary member of the trade union unless he is a worker.

53. One last point. In the list of unions, there is a tremendous number of unions which seem practically to cover the same class of workers. There are the Karachi Port Trust Workers Union, the Karachi Dock Labourers Union, the Karachi Municipal Sweepers Union, etc. That does not happen in England at all. If they are workers in one union they would not be members of another ?—It was so when England was in the same stage of Trade Union organisation as India is to-day. The Miners Federation, for example, was formed 20 years ago out of many small unions.

54. *Mr. Miller:* Would it be possible to form a more representative group by enfranchising all labourers earning Rs. 20 a month and constituting them into a separate electorate ?—I do not think that wages would be a satisfactory element in endeavouring to form an electorate. Wages are difficult enough to calculate as it is. A great deal of pay is not so much a month but so much a day. I think if you say Rs. 20 a month, you will have to find the average earnings over 12 months or some such period as that. I think you will have endless difficulties, and endless trouble in endeavouring to form an electoral roll.

55. Could you not get it from the employers of labour ?—They could send you the muster rolls certainly. But then you find that men may have been

absent for months; and they would then lose their qualification, and they may be people earning Rs. 20 a month or Rs. 30 a month. For, if they are absent, their annual pay will be reduced.

56. Have you any idea that trade unions will really represent all the workers? —I have a hope.

57. Reasonable hope?—I do not think it is a reasonable hope.

58. *Khan Buhadur Aziz-ul-Huque:* You have given us the names of four kinds of workers, textile workers, seamen, railway workers and dock workers. Supposing these workers are individually given representation in the Provincial Legislature, whose claim would you put in first?—From what point of view?

59. From the point of view of labour representation in the Provincial Legislature. Supposing I tell you that I will give you one seat, which concern will you first take up, the seamen, the railway, the textile or the dock workers?—The textile workers.

60. In view of your answer that textile workers require representation before all and in view of the fact that textile organisation is not a registered organisation, have you got any suggestion to make as to how they can get representation?—The only suggestion I could make is a somewhat reactionary one, and that is that Government should nominate. Government has secured representation to the textile industry because of the power of nomination.

61. *Major Milner:* If the vote is given to trade unions in some form or other, it will probably bring in the textile unions or at any rate induce them to register and put themselves in order very promptly?—It might happen.

62. That, I take it, is your hope?—Yes.

63. There seems to be a basic misunderstanding on this matter. Do you agree with the Chairman's suggestion that the object of having labour representation is not to represent this union or that but to represent labour as a function or interest as opposed to capital?—That is the object of labour representation.

64. Assuming that there are a fair number of men, for instance, seamen in seamen's union, textile workers in the textile union and so on, would the fact that these numbers do not represent 75 per cent. or 50 per cent. in your view, disentitle the union from fully and adequately looking after the economic interests of the general body of labour?—I think you may very well get a labour representative elected from a union with a very small membership.

65. Assuming he is a competent man, he can well represent the whole of organised labour as the economic interests of all workers are very largely the same? —Quite adequately, I should say.

66. Take seamen, for instance, where a number of members are at sea, and other unions where there is a good deal of fluidity. Can you conceive of any other method of consistently and uniformly representing such interests except by the trade unions?—I always associate labour representation in this country with a limited class in any event. The trade union is the natural unit. That is to say, so long as you pitch the franchise at such a high level and automatically disfranchise the majority of the workers.

67. If you bring in practically adult franchise, the necessity for trade union representation might disappear?—It would disappear. I think that would be inevitable.

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68. *Mr. Bakhale:* Mr. Turner yesterday made a casual remark that the textile labour in Bombay is very shifting. In regard to that I would like to draw your attention to the Bombay Government memorandum submitted to the Royal Commission in which it is stated that, so far as the Bombay textile workers are concerned, it may be said, that, although they maintain a very close and living contact

with their villages, the bulk of them are permanent in the sense that they are not merely birds of passage but continue to work in the mill for a considerable period of time once they join it. Is that correct ?—Yes, generally.

69. Then a suggestion has been made as to the minority character of the unions for the purpose of securing representation of labour. A similar objection was raised to the recognition of trade unions by the employers. May I draw your attention to the Whitley Commission's statement on that point ? They say at page 324; "But we are anxious to see recognition based on reason and not on force and the fact that a union consists only of a minority of employees is no adequate reason for withholding recognition "—That is recognition from the point of view of settling industrial disputes.

70. Do you agree with that view ?—I think it is rather general. But looking at it from the numerical point of view only I should say it is correct.

71. Then what is true in the case of recognition should, I think, be true in the case of giving representation to labour and trade unions. Don't you agree with that ?—That is my general feeling about it.

72. You say that a factory should be made a unit. In your own memorandum submitted to the Whitley Commission it was pointed out that the grip of the jobber and head jobber is very firm at present and in spite of the best efforts that might have been made by the employer to remove that grip, it still exists; and therefore if the factory is made the unit, don't you think it is more likely that the jobbers and head jobbers would be elected rather than the workers elected by the free choice of the employees ?—Yes, I think you probably would get jobbers elected.

73. Then a reference has been made to the absence of trade unionism in the textile industry of Bombay. Unfortunately what you have told us to-day is perfectly true. But you may remember that in 1928 at any rate the textile industry in Bombay was very highly organised, and one union at any rate had as large a membership as 80,000 out of 130,000 ?—You probably know better than I do. But I thought that it was only 58,000.

74. Even 58,000 is a fair amount of representation of organised labour ?—Yes, I quite agree. They accumulated funds to the extent of a lakh also.

75. Then as regards the activities of trade unions in this Presidency, you, as Director of Labour, must be in touch, I suppose, with the activities of trade unions because they are reported from time to time in the Labour Gazette ?—Yes.

76. You are also aware that a large number of trade unions in this Presidency, and particularly in the City, conduct their own journals ?—Yes, not a large number, but a representative number.

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77. Then are you aware that in most of the constitutions of the unions that are at present registered, they have got a provision for giving benefits to their members, a fact which has been admitted in the Bombay Government's memorandum ?—Yes.

78. A few of them have been giving some sort of benefits ?—Yes.

79. Particularly the Ahmedabad Union, though it is not registered ?—Yes.

80. The Ahmedabad union, for example, has been giving benefits like medical aid, education, free night schools and day schools, hospitals and dispensaries, housing accommodation, maintenance of grain shops, restaurants, etc. ?—That is done by the Ahmedabad union.

81. And the National Union of Railwaymen also gives some benefits ?—Altogether there are 12 registered unions which give benefits of some type.

82. 12 unions out of 35 ?—Out of 38.

83. They give some benefits of some kind ?—In some cases it is purely nominal. But some attempt is made to carry out their objects.

84. But the fact that the constitutions of all these unions provide for benefits shows that the unions are anxious to give benefits provided they have got the financial backing behind them ?—I think it shows that they realise that it is a good thing to do.

85. Is it not also a fact that as regards the registration of trade unions, there are several difficulties ? One of the difficulties is that Government themselves have not made up their minds as regards the registration of unions of their own servants, a complaint or rather a remark you have made in your own annual report ?—The Government of India have not made up their minds.

86. That is all the reason why registration is not as it should be ?—If there was an amendment of the Government Servants Conduct Rules, this would bring in a large number of unions of Government officials.

87. Is it not also a fact that the refusal on the part of the employers to recognise trade unions is another difficulty in the matter of registration ? Or I would rather put it this way. The refusal to recognise trade unions is a serious handicap so far as the workers are concerned either in joining a union or in strengthening it because there is a fear of victimisation ?—I think employers always make it a condition of recognition that the unions are registered.

88. Although some unions are registered, still recognition has been denied to them ?—That is true.

89. *Mr. Miller :* Would you agree with me in thinking that generally employers have not encouraged trade unions ?—As a general statement, that is accurate.

90. *Mr. Coverton :* I understand you have made a suggestion that as an alternative to special members being elected by trade unions, they should be elected by a special electorate including all persons employed in the factories. If that was done, would there be any practical difficulty in preparing an electoral roll ?—All factories under the Factories Act have to keep muster rolls. It would mean that you would have to get a certain amount of information added on to your muster roll. And then another difficulty would be the length of residence in a particular place. Every factory will have to keep a muster roll of all people engaged in it on any given date.

91. And would there be any difficulty because of people leaving one factory and joining another in the interval between the preparation of the roll and the election ?—If it happened it would certainly cause some confusion and difficulty. I think where you find the greatest difficulty is not in people going from one factory to another, but people going away from the factory for a relatively long period of two or three months.

92. A large body of labour is not covered by the Factory Act ?—No. If the recommendations of the Whitley Commission are brought into effect, you will add considerably to the factory population, that is, in places where no machinery is used and a large number of people are employed, who at present are not brought under the Act, in places employing machinery where less than 20 persons are employed and so on.

93. *Dr. Solanki :* In answer to one question you stated that labour can as well be represented by a trade union constituency as by any other, and several alternative methods were suggested. One was the enfranchisement of wage-earners; another was a general constituency with a wider franchise, the third was the group system for unorganised labour and a trade union constituency for organised labour, that is, a dual system of representation. The fourth is the trade union constituency only. Out of all these four alternatives, which method do you think is safer, more reliable and more practicable and more conducive to the interests of labourers themselves ?—I am afraid I have not weighed the various alternatives very carefully.

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Memorandum submitted by the ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION.

THE ANGLO-INDIAN AND DOMICILED EUROPEAN COMMUNITY.

Population—(A) Anglo-Indian.

The Anglo-Indian population of the Bombay Presidency inclusive of Sind as ascertained in the 1931 Census is 16,106 as compared with 10,326 in 1921 and shows a net increase of 57 per cent. The number of males is 8,533 and females 7,573. The total Anglo-Indian population in Bombay City according to the 1931 Census is 7,039 compared with 4,724 in 1921 and shows a net increase of 23 per cent. The number of males is 3,905, females 3,134. The total number of persons above 20 is 4,786 comprising 2,657 males and 2,129 females.

(B) Domiciled European.

2. The term Domiciled European is taken to include persons of pure European descent who are born or domiciled in India of parents habitually resident in India and not established there for temporary purposes. The total European population of the Bombay Presidency as ascertained by the 1931 Census is 29,263. It is difficult to analyse the figure which includes not only Domiciled European but an appreciable number of Anglo-Indians who are able to pass for Europeans. The 1921 Census Report states that the best method of arriving at an analysis of the European population is not under tabulation of separate communities but under tabulation of " place of birth ".

3. Tables for the 1931 Census under this heading are not available, but a study of the tables in 1921 Census Report provides a means of arriving at an approximately correct estimate of the strength of the Domiciled European Community.

4. The total European population in the Presidency in 1921 is given as 33,593 An analysis of " place of birth " gives the following results :—

Born in the United Kingdom	20,235
„ Europe	522
„ U. S. A.	427
„ British Colonies	233
	21,417

This figure leaves a residuum of 12,176 Europeans who are born in India or Asiatic countries. It includes a proportion of Europeans who are here only for temporary purposes, but the number may be considered negligible. It also includes a proportion of Armenians and other allied races whose numbers according to 1921 Census Report are too small to be recorded separately.

5. Allowing for a 25 per cent. reduction under these categories the residuum of 9,132 might be taken as the approximate Domiciled European population in the year 1921. Allowing for a proportionate 10 per cent. increase during the last 10 years we might place the figure at 10,000.

6. The total Anglo-Indian and Domiciled European population in the Bombay Presidency is approximately 26,000. The proportion of males to females is about equal.

REPRESENTATION IN THE LEGISLATURE.

7. Under the present conditions a separate electorate for Anglo-Indians exists inasmuch as the definition of " European " as expressed in the Bombay Electoral Rules (Schedule II, 1-a) is so framed as to enable many Anglo-Indians to vote as

Memorandum by the ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION. [*Continued.*

Europeans. While there is no separate electoral roll for the community it is able, to a limited extent, to influence election of European candidates by voting on the European register. In addition Government ensures the representation by nominating a candidate from a panel submitted by the Anglo-Indian and Domiciled European Association. The system of representation by nomination is not in the best interests of a community as it impedes the growth of initiative and responsibility. The system will disappear in the Reformed Councils and the community would be left no alternative but to rely exclusively on the existing method of securing representation through the medium of a joint electorate with the Europeans.

8. The Anglo-Indian Domiciled European community is faced with very special problems of its own—problems quite distinct from those affecting the European who is not a permanent resident in India. The Government of India in its despatch on Constitutional Reforms indicated that the main issues confronting the Anglo-Indian community were predominently economic and educational. These problems resolved themselves at present into facilities for entry into the services and facilities for the education of their children. This in the opinion of the Government of India was the main necessity for their representation in the Legislature. Now in relation to these basic issues the position of the Domiciled European is in no respect different from that of the Anglo-Indian. Their economic and educational problems are identical. For practical purposes these are the issues which are of paramount importance to them. It is therefore in the best interest of the Anglo-Indian and Domiciled European that they should be able to express their views and state their case in the Legislature through a jointly elected representative returned by a common electorate—an electorate distinct from that which secures representation for Europeans who are not habitual residents of India, but who are established here for temporary purposes and whose interests are quite distinct from those of the domiciled community of India.

SYSTEM OF ELECTION.

9. We do not propose to enter here into the vexed question of joint *versus* separate electorates. The ideal that the members of a Legislature are in the Legislature to represent the interests of the country as a whole and not of a particular community is based on the assumption that there is a unity and homogeneity of interests. Under existing circumstances such a homogeneity or unity of interests does not exist. Alternatives must therefore be adopted which take cognizance of conditions as they are.

10. Under existing conditions it would be impossible for the community, because of its negligible voting strength, to secure election of its candidates in competition with major communities. Two methods are open to it to secure representation—

(A) A joint electorate with reservation of seats;

(B) A separate electorate.

11. The system of joint electorates with reservation of seats while it guarantees representation does not provide certainty of election to the candidate or candidates whom a community may consider best suited to represent it. It would be possible for major communities by a preponderance of voting strength to impose a representative of their choice on a minor community.

12. For these reasons the community considers that its representation in the legislature should be secured through a separate electorate.

THE ELECTORAL ROLL.

13. If representation of the Anglo-Indian and Domiciled European community is to be secured by a separate electorate, it would imply the preparation of an elec-

toral roll for the community. The separate electoral roll must be based necessarily on a definition which would limit the electorate to Anglo-Indians and to those Europeans who are habitually resident in India and who for occupational purposes are classed as statutory natives of India. We would refer the Committee to the definition of " Native of India " in the India Council Act of 1870 which, to enable persons of pure or mixed European parentage to qualify for appointements in the public services brought within the definition of the Act any person of pure or mixed European parentage who was " born or domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only ". The definition may indicate the lines on which a definition may be formulated as basis for a separate electoral roll for Anglo-Indians and Domiciled Europeans.

14. If the principle of a separate electoral roll for the Anglo-Indian and Domiciled European community is accepted, it is urged that a recommendation be made to Government to give effect to the principle by formulating a definition which would place the Anglo-Indian and Domiciled European community on a common voting register distinct and apart from the European register.

15. The Council of the Anglo-Indian and Domiciled European Association would be glad to co-operate with Government in formulating such a definition.

QUALIFICATIONS FOR FRANCHISE.

16. Adult suffrage is admittedly impracticable under existing conditions. An educational qualification is the best and most logical basis for the franchise. As the introduction of such a qualification will result in an advantage to the advanced classes over the backward classes, we are of opinion that the standard be so adjusted as to diminish as far as possible the disparity in the voting strength of the two classes. Further, for maintaining uniformity, it would be necessary to ensure that the standard applicable to those who are educated in European or English teaching schools should not exceed that which is made applicable to persons educated in the vernacular schools.

17. In addition a lowering of the property franchise in urban and rural areas would provide a means of enfranchising a larger percentage of the population. If not already implied, it is recommended that the property qualification be expressly extended to include not only the owner or tenant of a building but also their co- or sub-tenants provided that the rental paid by a person for the occupation of a room or rooms within a building is equal to or exceeds in value the prescribed property qualification.

MILITARY SERVICE QUALIFICATIONS.

18. Under the existing military qualifications retired, pensioned or discharged soldiers of His Majesty's Forces are enfranchised. We recommend that the military qualification be extended to all those who are able, at the time of the election, to certify that their names are " borne on the strength of the Auxiliary Forces and the Indian Territorial Forces " and also to those holding the Volunteer Decoration and the Long Service Medal.

QUALIFICATIONS FOR WOMEN.

19. The educational qualification should apply equally to women.

20. The property qualification applicable to men should apply equally to women holding the qualification in their own right. The wives of all voters should be enfranchised.

Memorandum by the ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION. [*Concluded.*

ALLOTMENT OF SEATS.

21. The Government of India in their despatch, the Statutory Commission and the Committee of the Round Table Conference recommend that two seats be allotted to the Anglo-Indian Community in the Bombay Council. The object, in the words of the Government of India despatch, is to secure to the community an adequate opportunity of making its views known in the Legislature through suitable representatives and that no question arises of trying to allocate seats on the basis of such factors as population or political influence.

22. The community is one of the recognised minority communities in India and has participated as such in the various discussions affecting the proposed Reforms in its system of government. It has a distinct history, tradition and culture and holds a distinct identity within the body politic of the country. It is confronted with special problems which require representation. In common with other communities it can rightly claim the opportunity to express its views and to state its case in the Legislatures of the country; it can claim the opportunity to participate in legislation affecting its progress and development. Small though its numbers be, it has made an effective contribution to the growth of modern India by its labours in every department of public service, and, given the freedom for self-expression and the opportunity for development, it can and will continue to serve its country as efficiently in the future as it has done in the past.

Mr. S. H. PRATER, M.L.C., Representing the Anglo-Indian and Domiciled European Association.

1. *The Chairman:* You represent the Anglo-Indian and Domiciled European Association?—Yes.

2. Your memorandum is very full and I don't know if there is very much to add to it. You say there are 26,000 Anglo-Indians and permanently domiciled Europeans in this province?—Yes.

3. At present there is only one Anglo-Indian nominated member of Council?—Yes.

4. What was the recommendation of the Simon Commission as regards representation of Anglo-Indians?—The Simon Commission did not recommend nomination.

5. You say that the Government of India recommend that two seats be allotted to the Anglo-Indian community in the Bombay Council?—Yes, in the Bombay Presidency.

6. Is that what you on behalf of your community ask, two elected representatives of the domiciled community including a separate constituency?—Yes.

7. *Mr. Tambe:* There are two communities combined, the Anglo-Indian and the European Community?—Yes.

8. What is the membership?—There are branches all over India; there are 7 branches in the Bombay Presidency, with a membership of about 1,000.

9. How many Anglo-Indians and how many Europeans?—I cannot say. On our Managing Committee there is the President, a domiciled European, and 4 members are domiciled Europeans on a Committee of 10.

10. With reference to paragraph 7, has any objection ever been raised to voting as a European by an Anglo-Indian?—Not previously.

11. Till now there has been no objection?—No.

12. Then why do you want a separate constituency ?—Because we think our interests are different. The 'temporary' European's interests, we consider, are mainly those affecting trade and commerce, but we are a permanent community in India and our interests are those of other communities.

13. So far as the temporary Europeans are concerned, your interests and their interests are distinct; so far as the non-commercial Europeans who temporarily reside in India are concerned, your interests and their interests are not in conflict ?—No.

14. Your object would be served if you are made a part of or given representation in the same constituency along with them ?—We want a constituency composed of domiciled Europeans and Anglo-Indians only and distinct from the constituency which gives representation to the Europeans.

15. Do you not think it would be more advantageous for a minority to be able to influence the voice of the representative of the majority community rather than have one or two members elected although independently ?—No, because I do not think there is any chance of a minority community having its own selected candidates returned because of the possibility of the majority, having a greater voting strength, imposing a candidate on the minority.

16. Supposing it was left to a minority community, would you have any objection ?—No.

17. The candidate is to be nominated only by the committee, the voting is to be joint ?—By a distinct association ?

18. By the whole community. Would you, in that case, join a joint electorate ?—No, not at present.

19. How would a woman of your community be enfranchised ?—I have suggested that if we have an educational qualification then we would possibly get adult suffrage on the recommendations made by the Bombay Provincial Committee.

20. You would suggest literacy as a qualification for women ?—I would advocate that there be one standard for men and women and they sit together. I would not have a special qualification for women so far as the direct franchise is concerned because women who would come in by those qualifications would be perfectly capable of competing with men.

21. Only in the rural areas to help those who cannot come in, the wives of all voters should be enfranchised ?—Yes, because with the property qualification many women would not come in and if we brought the wives in they also would get a vote.

22. *Diwan Bahadur Ramaswami Mudaliyar :* You say the Government of India in their despatch, the Statutory Commission and the Committee of the Round Table Conference recommend that two seats be allotted to the Anglo-Indian community. May I suggest to you that you are referring to the minority pact rather than to any committee of the Round Table Conference ?—No, I am not.

23. You say the minorities committee made this recommendation for two seats for Anglo-Indians ?—It was asked for by my representative.

24. The Committee did not make that recommendation ?—No.

25. *Mr. Winterbotham :* At present the Anglo-Indian domiciled community have a franchise right on the European roll ?—Yes.

26. Your proposal is to have a roll of your own ?—Yes.

27. Have you any particular evidence to show that this is the wish of the community as a whole ?—The question does not arise because we don't compel any one to come in our own register. That is left to the choice of the individual.

* * * * * * *

28. *Sardar Mutalik :* Suppose the domiciled European does not come on to your register, would you still claim two seats ?—Yes, I have one seat at present. You are doubling the size of the legislature and I am asking for two.

Memorandum submitted by the SARDARS' AND INAMDARS' CENTRAL ASSOCIATION of the Bombay Presidency.

This Association has noted the desire of the Franchise Committee to postpone the enquiry regarding the representation of special interests and the creation of the bicameral legislatures in the provinces and that a further questionnaire with respect to these matters would be issued in due course. After our Association had sent its replies to the questionnaire which was already issued in the last week of January, another questionnaire was issued to us in the last week, having reference to the representation of special interests. As it is expressly stated in the second paragraph of "Preliminary heads of enquiry" that a further questionnaire "relating to these matters would be issued in due course" we propose to touch only the salient features of our views regarding the representation of special interests and particularly the representation of the Landholders with whom our Association is vitally concerned.

I.—PROVINCIAL LEGISLATURES.

1. Extension of the Franchise.

2. The representatives elected by the rural and urban areas are fairly representative of the masses who elect them. It cannot be said at present that any class except the one of Landholders—Sardars and Inamdars—lack the means of adequately expressing its needs and opinions.

1(*a*) We would advocate great caution in the extension of the franchise and suggest that the present property qualification should be halved. It is not desirable to lower it still further under the present circumstances.

Franchise should be extended to the following persons:—

(1) Persons owning a house of the value of one thousand rupees or upwards in rural areas.

(2) Watandars of all grades.

(3) Adult joint family members other than the principal member provided their individual interest in the joint family property separately calculated would entitle them to a vote.

(4) Votes should be given to persons who have passed the Vernacular Final examination or have passed English fifth standard examination of any recognised English High School.

(*b*) An electorate thus constituted will be capable of casting votes as intelligently as the present electorate.

(*c*) Such electorate will be administratively manageable.

(*d*) As we consider items 1 (*b*) and 1 (*c*) in the affirmative, no alternative suggestions in this respect are necessary.

(*e*) We consider that the extension of the franchise as proposed above will bring it to 10 per cent. of the population approximately and the percentage will automatically increase as education advances.

(*f*) The group system as mentioned in clause 1 (*f*) of the questionnaire is unscientific in principle, cumbrous, unmanageable and unintelligible to the general mass and will be complicated and expensive. It is indirect election which our Association is not prepared to support. We do not consider it suitable to India.

(*g*) As we are opposed to group election, no necessity for any suggestion with respect to it remains.

(*h*) We do not think it feasible and advantageous and desirable to abolish all existing qualifications for voters and to extend a system of the nature described in

Memorandum by the SARDARS' AND INAMDARS' CENTRAL ASSOCIATION. [*Continued.*

clause 1(*f*) of the questionnaire to all adult voters, and confining the electorate for all constituencies to secondaries chosen by groups of primary voters. This system is opposed to the democratic principle of direct representation. There should not be a class of intermediaries between the candidates and the voters.

(*i*) Our answers to clauses (*f*) and (*h*) are in the negative and it is not necessary to consider a suitable size of the groups referred to above.

(*j*) This does not survive in view of our answers to clauses (*f*), (*h*) and (*i*) being in the negative.

2. FRANCHISE QUALIFICATIONS.

2(*a*) Leaving aside the great industrial cities like Bombay, Ahmedabad or Sholapur, there is no marked disparity in the operation of the franchise qualification in urban as compared with rural areas. Separate representation is provided for cities having a population of lakh (100,000) or over. Smaller cities—Municipal areas—are included in the rural constituencies in which they are situated. If the big cities for which special representation is provided are excluded, the disparity in the proportion of the enfranchised persons to the population in the Municipal areas as compared to that of the strictly rural areas is not so marked. About 6 per cent. of the population is enfranchised in such Municipal areas, while the percentage in the rural areas is about three. This difference is not certainly very marked and is quite natural. The number of voters in rural areas is so preponderatingly great that in elections it sweeps away the number of voters in Municipal areas in spite of their higher percentage. No special remedial measures to remove this natural disparity appear to be necessary.

In big commercial centres like Bombay, the percentage is bound to be higher—a result which is desirable, as the greater the percentage the better will be the chances for labour being able to influence the elections.

As such big cities are created into separate constituencies, we need not consider the percentage of enfranchised voters in them and compare it with that in rural areas with a view to adopt remedial measures.

We observe that we fully agree with the view of the Southborough Committee in this respect.

(*b*) Our Association has all along been opposed to communal representation of any kind.

The franchise qualification should be the same for all communities and our Association does not subscribe to the view that each community should have voting strength proportionate to its numbers. The principle of representation cannot be stretched to mean that each community should have a voting strength in exact proportion to its population. It may be above or below as a result of various circumstances such as (1) superior knowledge, (2) superior culture, (3) superior political training, (4) economic superiority, (5) intellectual superiority and the like. We do not think that any community should be deprived of its advantages which it has secured for itself by its superiority and advancement.

(*c*) We do consider that the possession of property of some kind is a suitable test for franchise and that the property qualifications are suitable in principle.

We have stated in our reply to question 1, clause (*a*), that the franchise should be extended by halving the present property qualifications and have added that persons owning a house of the value of one thousand rupees or more in the rural areas should be enfranchised. We do not consider that the meaning of the term property should be widened to include the receipt of income in cash or kind. It will involve greatest difficulties in estimating the income from agricultural lands and the difficulties in assessing the wages also would not be less.

Memorandum by the SARDARS' AND INAMDARS' CENTRAL ASSOCIATION. [*Continued.*

(*d*) We are in favour of introducing a qualification based on education independently of property and suggest that all persons who have passed their vernacular final examination or the English fifth standard examination should be allowed to have a vote.

(*e*) Existing military service qualification should be retained and it should be extended to the Auxiliary and the Territorial Forces.

3. WOMEN'S SUFFRAGE.

3(*a*) We are not in favour of increasing the women electorate by giving a vote to the wives and widows of men entitled to vote under the property qualifications. We add that the educational qualifications prescribed for men should also be applied to women and women fulfilling the qualifications should be given the right to vote.

(*b*) As we are opposed to the group system proposed in paragraph 1(*f*), this question does not arise.

(*c*) We have already stated that the educational and property qualifications prescribed for men should also be extended to women which will open to them the door for elections. We may add that about five women may be co-opted in the way suggested.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

We are entirely opposed to creating separate communal electorate for the Depressed Classes. We have already suggested the enfranchisement of all the watandars which will principally increase the voting strength of the Depressed Classes. The Depressed Classes labour under no political disability. Their problem is only a social one.

Through the general extension of the franchise as suggested, the Depressed Classes are likely to secure representatives of their own choice.

5. REPRESENTATION OF LABOUR.

5(*a*) The lowering of the franchise in urban areas will automatically enfranchise the labouring population in the industrial areas.

Agricultural labour comes from and forms part and parcel of the agricultural class in general and no separate provision for them appears to be necessary.

There is no plantation labour in this Presidency.

Direct representation of industrial labour should be provided for through recognised trade or labour unions. We do not agree with the view expressed by the Simon Commission that it was doubtful whether the elections through unions would succeed in securing selection of men who are genuine representatives of labour.

5 (*a*). REPRESENTATION OF SPECIAL INTERESTS.

1. Our Association considers that the representation of all the special interests should not only be retained but should be substantially increased. The existing method of election should be retained and we shall hereafter submit our observations about the franchise that should be accorded to this class of sardars and inamdars.

2. The class of "Landholders" is composed of Sardars, Inamdars, Jahagirdars, Sarajamidars, Talukdars and Watandars each of which tenure has some specialities peculiar to it. The term "Inamdar" is more or less generic and has been used so as to include all the various tenures just specified.

Memorandum by the SARDARS' AND INAMDARS' CENTRAL ASSOCIATION. [*Continued.*

3. The landed aristocracy of the Bombay Presidency is an important part of polity from time immemorial. It founded empires, led armies, and was principally responsible for the civil administration, army and defence. It formerly wielded and still wields a great influence in society. It is in no way inferior to any other class in respect of education and culture, and has not been slow to move with the changing times. This class has special advantage of coming into direct contact with the villages, for the development of which no class is better fitted. In paragraph 147 of the Montagu-Chelmsford Report it is said:—

> "The natural and acknowledged leaders in the country areas are the landed aristocracy. They generally represent ancient and well-born families, and their estates are often the result of conquest or grant from some mediæval monarch. By position, influence and education they are fitted to take a leading part in public affairs. Some of them are beginning to do so, and our aim must be to call many more of them out into the political list."

This quotation is given to bring prominently to notice that the framers of the Report intended to lay down as a matter of policy that this class should be given proper facility to play their part in the new order of things.

4. The interests of this class are extensive. In the Bombay Presidency proper (exclusive of Sind) this class holds 2,074¼ villages as alienated, the total number of villages in the Presidency proper being 20,836¼. The *net* revenue of the alienated villages and lands is Rs. 1,07,13,995, the land revenue of the Government villages being Rs. 4,30,15,007. Thus it can be roughly said that Sardars and Inamdars hold one-tenth of the number of villages which the Government hold and hold a revenue which amounts to one-fourth of that of the Government.

5. The tenures, culture and political education of Sind being entirely distinct from that of the Presidency proper, our Association has restricted its activities to the aristocracy of the Presidency proper, and we are not going to offer any remarks about Sind and Sind landholders.

6. Having described the interests of our class and their extent we proceed to trace the history of the representation accorded to this class in the legislatures.

7. Since 1861 when Councils came into existence for the first time the necessity of representation of our class in the legislatures was recognised and one person from our class was being nominated in the Bombay Legislative Council till the year 1892 when there was a change in the constitution of the legislatures. Elective principle came in and one seat was reserved to be elected by the Deccan Sardars only for the Bombay Council. The order of Sardars of the Deccan is a creation of the Political Department of the Bombay Government, and the inclusion of any person in the list of Sardars depends exclusively on the sweet will of the Bombay Government. The Inamdars, many of whom have interests much larger than those of many of the Sardars, remained unrepresented. The order of the Sardars of the Guzarat was created about the year 1908, and the Morley-Minto Reforms provided one more seat for them in the Bombay Council. Reforms of 1909 went further and the landholders of the Bombay Presidency were given a seat in the Central Legislature, which was alternately shared by the landholders of Sind and Sardars of Guzarat, and landholders of Sind and the Sardars of the Deccan, the Inamdars being without votes.

8. The Sardars and Inamdars pressed their claims for special and adequate representation when Rt. Hon. Mr. Montagu came to India in 1917, and waited upon him and His Excellency Lord Chelmsford in deputation. Our Association placed our case before the Joint Parliamentary Committee when it was formed, and being convinced of the justice of our cause, they reported that—

Memorandum by the SARDARS' AND INAMDARS' CENTRAL ASSOCIATION [*Continued.*

"The special representation of the landholders in the provinces should be reconsidered by the Government of India in consultation with the local Governments."

As a result of this, such Inamdars as solely held a whole village as alienated were included in the list of the voters for the seat for the Sardars without increasing the number of seats for the landholders.

9. We strongly complain that in spite of the expansion of the Bombay Council in 1882, in 1909, and in 1920 the Deccan Sardars and Inamdars are just in the same place as they were in 1861 when the Councils came into existence with respect to the number of their seats in it.

10. We claim adequate representation. Our claim for the greater number of seats does not rest merely on the extent of our interest. We are the only cultured class that come into direct contact with the village, and shall be of great use to the development of the country if proper facilities are afforded to us. The Montagu-Chelmsford report says: "The natural and acknowledged leaders in the country areas are the landed aristocracy," and they further observe in paragraph 148 "No men are better qualified to advise with understanding and great natural shrewdness on the great mass of rural questions which will come before the Provincial Legislatures."

11. Our class has a large stake in the country, and by tradition we are endowed with a sense of responsibility and appreciate the difficulties of administration. The management of our estates brings us into contact with almost every department of the Government, and the presence of this class in adequate numbers will serve as a healthy check on hasty and ill-considered legislation.

12. We have persons of all castes, creeds and religions in our class, which, combined with our culture and social position keeps us above narrow feelings of communalism. At a time when the evil of communalism is rampant, our presence in adequate numbers will serve as a check to it.

13. Wider powers have to be given to the legislatures to cope with the strong demand from the public for the same, and they should be so constituted as *to progress on proper lines.* We record it as our considered opinion that this can be achieved by giving the special interests so much representation as would effectively influence the deliberations and decisions of the legislatures. We have confidence that representatives of the special interests like landholders, commerce and university will be persons of balanced views, and their voting will be guided by reason and responsibility. As the popular chamber will have real power and control over the purse, great care has to be taken of its constitution; we advocate the pollicy of *effective representation of the special interests in it.*

14. With due weight to these considerations and without exaggerating our claim in any way we modestly ask for twelve seats in the Provincial Legislature on the assumption that it will be composed of about 225 elected members, and three seats in the Upper Federal Chamber and three seats in the Lower Federal Chamber.

15. We next proceed to record our views with respect to the franchise in the constituencies of the Sardars and Inamdars.

16. The franchise in this constituency is at present given to Sardars and the sole holders of whole villages. An alienated village is a partible property in most cases, and a large number of villages is partitioned amongst the sharers according to the Hindu or Muhammadan law. Such sharers remain without representation according to the rules now in force. We advocate that the possession of a whole village should give to its "holder" or "holders" the right to vote. Where a village is held in shares all sharers should nominate one person from amongst them to exercise the privilege of voting; and if they fail to do it, the holder of the largest share should be regarded as the voter. If one person holds more than one village, his family

Memorandum by the SARDARS' AND INAMDARS' CENTRAL ASSOCIATION. [*Continued.*

should have as many votes as the number of villages owned by him and the votes should be recorded by other adult members of his family. We further express that if an inamdar derives an income of one thousand rupees or more from his shares in one or more villages, he should be included in this constituency. Similarly, persons holding alienated lands assessed at one thousand rupees or more should be regarded as voters.

17. Having thus dealt with the franchise, we proceed to point out some anomalies existing at present with regard to the allotment of seats. There is at present one seat for the Sind Zamindars and two for the Landholders of Presidency proper in the local Council. Out of the two seats for Presidency proper, one is allotted to Sardars of Guzarat and Inamdars of the Northern Division, and the other to Sardars of the Deccan and the Inamdars of the Central and Southern Divisions.

18. Sind, Northern Division, Central Division, and the Southern Division make the four administrative divisions of the Bombay Presidency. Sind and Northern Division each has a separate seat allotted to the landholders comprised in it, while Central and Southern Divisions together are given one seat for their landholders. This is an injustice, and it will appear still more glaring when it is prominently brought to the notice of the Committee that the Central Division has 1,043 alienated villages, Southern Division has 717 alienated villages, while the Northern Division has only 268.

19. The landholders of Northern Division have no claim for this preferential treatment.

20. Assuming that the Sardars and the Inamdars are given 12 seats in the Provincial Legislatures we suggest that three seats should be allotted to the Northern Division, four to the Southern and five to the Central Division. Our Association strongly favours plural constituencies with cumulative voting.

21. Lastly we add that we do not agree with the conclusions expressed in paragraph 90 of the Simon Commission Report, if some "landholders" are returned by the general constituency as their representatives, they are returned not because they are landholders but because they adopt the principles of the party that puts them forth. They come in the legislatures on the party tickets and not as landholders. They thus become the repesentatives and exponents of the principles they adopt and cannot be considered as the exponents of the views of the landholders so far as their presence in the legislatures is concerned. Many candidates who are returned by the general or special constituencies in the legislatures are graduates of the Bombay University, but it cannot be construed to say that the representation of the University should be done away with on that ground. Indeed, that ground has not been taken in the report of the Simon Commission while dealing with the University representation. It is merely an accident that some of the candidates that were returned by the general constituencies happened to be landholders, and the reasoning of the Simon Commission that the special representation of the landholders should be dispensed with on this score is basically unsound.

22. We seek permission to point out that an amount of confusion arises from the fact that Sardars and Inamdars are styled as "landholders." The interests of the Sardars and the Inamdars are entirely distinct from the Zamindars or the Talukdars of other provinces who also are called "landholders," and are also distinct from those of the "occupants" of lands in the Bombay Presidency.

II.—FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

The functions and powers of the two Chambers of Federal Legislatures are not yet clearly defined and we make the following suggestions tentatively:—

(*a*) Our Association does not look with favour on the suggestion that the representation of the British Indian Provinces in the Upper Chamber should be

Memorandum by the SARDARS' AND INAMDARS' CENTRAL ASSOCIATION. [*Continued.*

through the Provincial Legislatures. Our view is that the election should be direct with the same franchise that exists to-day for the election to the Council of State.

There should not be any nominations to the Upper Chamber, and the seats should be distributed as follows:—

3 For Muhammadans.	1 Europeans.	2 Commerce and Industry.
6 Non-Muhammadans.	3 Landholders.	1 Labour.

Adult members of a joint family should be enfranchised if their share individually calculated would entitle them to a vote.

(*b*) The franchise for the Federal Legislature ought to be different from and much higher than that for the Provincial Legislature. There should not be any lowering of the franchise for the Lower Chamber of the Federal Legislature than that which at present exists for the Assembly, so far as the property qualifications are concerned, and we consider that all graduates of any University should have the right to vote independently of property. We also suggest that votes should be given to adult members of a joint family other than the recognised holder of the estate provided that their individual interests in the joint family property separately calculated would entitle them to a vote.

(*c*) We agree with the majority of the members of the Federal Structure Committee that the election to the Lower Chamber of the Federal Legislature should be direct and based on territorial constituencies. We do not think that the present territorial constituencies for the Assembly are unmanageable. Experience goes to show that the candidates have been able to maintain sufficient contact with their electorates. We do not think that indirect elections in the rural areas are either desirable or necessary.

The constituencies in the Bombay Presidency should be divisional and plural with cumulative voting.

There should be provision for the representation of special interests, *viz.*, Commerce, Insustry and Landholders.

We propose the allocation of seats as stated below:—

Non-Muhammadan.

Bombay City	2
Northern Division	2
Central Division	3
Southern Division	2
Sind	1

Muhammadan.

Bombay City	1
Presidency Proper	2
Sind	2
Millowners	2
Commerce	2
Europeans	2
Labour	2
Landholders	3

Memorandum by the SARDARS' AND INAMDAARS' CENTRAL ASSOCIATION. [*Continued.*

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

The wives and widows of men entitled to vote under the property qualification should not be allowed to vote for the Federal Legislature unless they have the necessary qualifications in their own right. Women who have passed the Matriculation examination should be enfranchised.

We have already provided for the representation of Labour.

There appears to be no necessity for special representation of the Depressed Classes in the Federal Legislature.

We have already stated that the representation of other special interests at present represented should not only be retained but it should be substantially increased. We have stated at the proper place our proposals in this respect.

SECOND CHAMBER IN PROVINCES.

1. It is the considered opinion of this Association that a Second Chamber consisting of the representatives of important interests like the Landholders, Commerce, University and men of experience is a necessity in the best interests of the people of the Bombay Presidency and of all its classes and communities. All the authorities recommend second chamber as an antidote for unfair and unsympathetic treatment of the minorities by the majority. The Provincial Legislatures are not yet accustomed to use the wide powers that will be shortly conferred on them, and a wide extension of the franchise is under contemplation. The voters have yet to learn the importance and proper use of the vote. Many European countries which have a perfectly democratic form of government for a number of years have found that a second chamber is a useful necessity. Sir A. P. Patro observed in the Round Table Conference that if second chambers were created, " the drastic powers which are at present vested in the Governors would not at all be necessary " and no occasion will arise for their use.

2. We do not think that the second chamber will cause friction in the smooth working of the administration or that a conflict will result between the two houses. It was said by the Raja of Parlakimedi in the Round Table Conference that an attempt was made by the majority party in his province to introduce drastic legislation to deprive certain owners of their property which had vested in them for ages, and the party in power would have rushed the legislation through if the Central Government had not interfered. Such actions are possible in all provinces and a second chamber will be an effective check on the injustice and ill-considered and hasty actions on the part of the Lower House. India like other countries in the world has vested interests, and unless proper safeguards are provided for in the constitution the minority communities and vested interests run a great risk of their interests being jeopardised. A second chamber comprised as stated above will hold the balance equal and would serve the best interests of all the classes and the communities.

3. We propose that the franchise for the provincial second chamber should be the same as exists at present for election to the Council of State. We strongly urge that there should be a second chamber for the provinces for a period of at least 25 years after which the provinces should consider about its retention. All provinces should be kept on the same footing and it is not desirable that there should be a second chamber in certain provinces only. The recommendations of the Simon Commission that the Provincial Legislatures should be unicameral at the outset and they should subsequently decide whether to establish a second chamber is like putting the cart before the horse.

Memorandum by the SARDARS' AND INAMDARS' CENTRAL ASSOCIATION. [*Concluded.*

GENERAL.

This Association will submit a separate memorandum on the working of the existing franchise.

Mr. V. N. MUTALIK,
Mr. DESAI,
SARDAR BHASAHEB,
M.L.C., Thakore of Kerwada.
} **Representing the Sardars' and Inamdars' Central Association.**

1. *The Chairman :* You represent the Sardars' and Inamdars' Central Associamon ?—Yes.

2. Can you tell me the membership of your Association ?—It is above 500.

3. What is the qualification for membership ?—Any person holding any kind of *Inam,* but presumably the holders of villages.

4. How many seats have you got in the existing legislature ?—The Sardars and Inamdars of the Central and Southern Division have only one at present.

5. And the people of the Northern Division have none ?—Northern people have one, and then there is one seat for the Sind Jagirdars.

6. What you suggest is that in the future council of 225 you should have 12 seats ?—Yes.

7. You further suggest that those 12 seats should be distributed between the Northern, Southern and the Central Division and Sind ?—My distribution of the 12 seats given in the memorandum refers only to the whole of the Presidency proper excluding Sind.

8. You want 12 seats for the Presidency proper ?—Yes.

9. Do you actually give the distribution you propose in the various districts ?—I have suggested in the memorandum that 3 seats should be given to the Sardars of Gujarat, 4 to the Sardars and Inamdars of Carnatic, I mean, the Southern Division, and 5 to the Central Division.

10. What is the main ground upon which you claim this special representation for the Sardars and Inamdars ?—My main grounds are the following. In the first place, we have historical grounds. We have practically been a class by ourselves from time immemorial. Then there is the wide extent of the interests of our class. I have stated in my memorandum the extent of our interest in the Bombay Presidency. Then another important point is that our class is opposed to communalism, to any sort of communal feelings. We have amongst us Hindus, Muhammadans, Mahrattas, practically every community. Then ours is a class with a large stake in the country. Then we claim that our influence in the legislatures will be a prominent steadying influence. Then, I have further stated in my memorandum that we have been accustomed to act with responsibility and our vote and actions and our deliberations in the Council will be guided by responsibility, and lastly the presence of our class in large numbers in the legislatures will be a check on hasty and ill-considered legislation.

11. You recognise that you are making a considerable enlargement from 3 to 12 ?—But practically we are not asking for any enlargement as such having regard to the representation given to us by the Councils Act of 1861, the Act of 1892 and the Act of 1909. It was only in 1919 that it was recognised that we

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had been complaining and that we were treated with injustice. Under the Act of 1861 we had one seat in a council of twelve. His Excellency nominated one from the Landholders' class.

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12. *Sir John Kerr :* You are asking four seats in the Northern Division ?—Yes.

13. How many people would there be in that constituency ?—I find from the statistics that there are 268 villages which are alienated out of about 2,000 in the Northern Division.

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14. *Sir Sunder Singh Majithia :* You are proposing a provincial second chamber for 25 years. Why do you fix this period of 25 years ?—Because during the first 25 years we will learn by experience whether there is any necessity for the continuation of the second chamber. After the lapse of that period we can know.

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15. *The Hon'ble Mary Pickford :* I see that you are in favour of 5 women being co-opted to the Council in case none are elected ?—Yes.

16. Supposing some other method of selecting these 5 women was preferred to co-option you would have no objection, I take it ?—Certainly, I have every objection because I am opposed to the principle of nomination.

17. I was not suggesting nomination. Various other methods of choosing these women have been suggested. It is too detailed to go into now. Do you attach very special importance to co-option rather than some other method of choosing them so long as nomination is ruled out ?—I would certainly prefer election to co-option. I have suggested co-option because in the circumstances prevailing in India women may not like to stand if they have to go round the districts canvassing. Their position will be too delicate. It was for that reason that I suggested co-option. Certainly, I would prefer election to co-option.

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18. *Mr. Butler :* I understand that there are Sanads and treaties ?—Yes.

19. There are guarantees ?—In our statement which we submitted to the Round Table Conference we mentioned it.

20. Suppose you receive those guarantees, would you still ask for the same number of seats ?—Yes, because for presenting our point of view on matters coming up before the legislature we would require adequate representation.

21. Is it your idea that the constituencies will coincide with the divisions ?—I have submitted in my memorial that for the three northern, central and southern divisions, three seats should be given to the Gujarat Sardars and that the allocation should be by cumulative voting and plural constituencies.

22. *Dr. Ambedkar :* You have three seats now in the Bombay Legislative Council by separate representation ?—Yes.

23. In the last Legislative Council you had altogether 16 representatives elected from the general constituencies ?—Yes.

24. Fifty-eight out of the total number of members, were either landholders or landowners. That is the finding of the Simon Commission ?—May have been.

25. Do you mean to say that you challenge it ?—I do not challenge it.

26. And the Simon Commission came to the conclusion that, as a matter of fact, your class, far from being under-represented, was considerably over-represented and therefore they made a recommendation that, hereafter, there was no necessity

for special representation for your class ?—Yes, that is stated in paragraph 90 of the Simon Commission report. But my reply to that is that those landholders who were elected by the.....

27. I am coming to that later on. For the moment the fact is that you people who want special representation are in no sense under-represented under the existing electoral system ?—We are under-represented under the existing system because other persons who are returned by the general constituencies do not represent landholders' interests. They represent the interests of the constituency which elects them.

28. You are not in a position to give us any figures to show how your constituencies of landholders are composed; how many are Brahmans, how many are Mussalmans and how many are non-Brahmans and depressed classes. Will you be able to send such a statement hereafter ?—Yes, I can give you a statement prepared from the list of voters. But all the owners of the 2,000 and odd villages to which I have referred in my statement are not voters. The list of voters is prepared by the Government and you can get that list from your office.

99. You said that the representatives of your community are non-communal ? —Yes.

30. You remember that there was a measure moved in the Bombay Legislative Council called the Watandars' Bill ?—Yes.

31. Would you tell us how your representatives voted on that Bill ?—Well, on principle they ought to have voted for the retention of the Watans.

32. There was no question of the destruction of the Watans. The only question was whether the Brahman priests should make a compulsory levy on the villages which were inhabited by non-Brahmans. There was no question of the destruction of Watans. Am I right in saying that those who represented your class, voted against the Bill ?—Your first premise I would like to enlarge this way. It was not a question of the Brahman officiating and making a levy. It was a question of the rights vested with the Joshis as Watandars. So the protection of the Watandar is our right and for the service which he had to perform he is entitled to a levy.

33. Is it a fact that most of your representative landholders are Brahmans and that the Joshi Watandars are Brahmans ?—Even if the representative of the Inamdars had been a Muhammadan, it is his duty as a matter of principle to oppose the Bill.

34. Now, you want separate electorate for yourself ?—Yes.

35. You would not be satisfied if an arrangement is made whereby a certain number of seats is reserved for your class in the joint electorate ?—In a joint electorate of the Inamdars ?

36. In a general constituency in some district in the Northern Division if a seat is reserved for you and a candidate who is entitled to vote in your constituency is elected, would you not think that that person is a true representative of your class ?—No.

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37. A system of reservation of seats for your class will not give your class a true representative ?—No. Having regard to our special interest, it would not. Our franchise is different.

38. That is all right. You still maintain it ?—Because our interest is separate. The general electorate is not cognisant of our interest and for that reason that representative will not be a true representative of our interests.

39. He will be subservient to the general electorate ?—He may be subservient to them.

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40. In answer to Mr. Butler you stated that you wanted guarantees in the constitution that the rights of private property will not in any way be abrogated ? —Yes. My prayer at the Round Table Conference was that all the treaties and sanads and solemn promises made to us on behalf of His Majesty's Government should be respected by the future legislatures.

41. You want a guarantee of that sort to be incorporated in the Fundamental Rights and notwithstanding that you want representation ?—Yes.

42. Why ?—Because there is every necessity for it. No House will be truly representative of the people of all classes unless all the classes of the country are represented in it.

43. But if you once get a guarantee, even if the legislature passes a law violating your rights, there is the remedy open to you to go to the court and get the law nullified. Why then is this representation ?—We do not go into the council simply for the protection of our own interests. We are also citizens of the Bombay presidency and as patriotic citizens are as concerned with the welfare of the province as the other citizens. Therefore our point of view must be heard in the legislatures.

44. Your claim for representation is not merely a claim based upon protection of your own special interests but is based also upon the fact that you are a class by yourself and therefore entitled to have adequate representation ?—In the whole province.

45. *Lord Dufferin :* Was the record of the Inamdars last year a good one ?—Did they constitute a stable and steadying element in the Government ? How did your representative behave in the last difficult year ?—The record of our class is that we are in the first place sworn to loyalty. In fact it is a stipulation in the terms of our Sanads.

46. That is, in the last few years you have been loyally co-operating with the Government ?—Whenever we were called upon by the Government, we generally cooperated with them. We did not join the non-cooperation movement. We did not join the Congress movement.

47. *Mr. Chintamani :* Will you kindly explain what you mean by saying that 'the order of Sardars of the Deccan is a creation of the Political Department of the Bombay Government' in your written statement ?—I mean that the Sardars are created by the Government of Bombay according to its will. Because a man is a Sardar it does not necessarily mean that his son also will be a Sardar unless he is so recognised by the Bombay Government.

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48. You say : 'Thus it can be roughly said that Sardars and Inamdars hold one-tenth of the number of villages which the Government hold and hold a revenue which amounts to one-fourth of that of the Government.' Does this mean that you have an unlimited right for increasing the assessment of your tenants ?—No. We have no right to increase the assessment of the tenants. It is done by the Government after a period of 30 years just as in the Government villages.

49. But when the Government want to enhance the revenue, can they also enhance the revenue which you have to pay ?—No.

50. So the tenants have to pay more, but not you ?—No.

51. You get increase in net profit ?—Yes.

52. Have your interests ever been in peril on account of anything done in the Legislative Council ?—Impaired, Yes. Once there was a committee appointed presided over by Sir Narayan Chandavarkar to provide for educational cess and that committee actually proposed that half of the revenues of the Inamdars should be taxed and utilised for this purpose.

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53. *Khan Bahadur Aziz-ul-Huque :* When you say that you claim your rights as citizens of this country, I take it that you claim your right just as every other citizen claims it ?—I claim my right as the representative of a class. If you read my whole statement you will notice that it is based on one principle and that is that in the legislature both the masses and the classes must have representation.

54. In your idea, the Mussalmans who number about 20 per cent. of the population can have three representatives and you landlords consisting of a thousand people should have also three representatives. Is it in consonance with your idea of equal civic rights to all ?—Yes, because as I have stated, I am opposed to communal representation.

55. You want these special seats in the interests of the landholders ?—Yes, in the interests of the landholders as well as in the interests of all.

56. Let the rest of the presidency take care of itself ?—Why should we not be responsible for them too ?

57. On behalf of the landholders, will you be prepared to enfranchise every landlord in your electorate ?—Provided he has an adequate standard of property.

58. What is this adequate standard of property ?—The standard of property which I have stated in my memorandum.

59. So you consider that the landholders who have an income below Rs. 1,000 have different interests from yours ?—No. Their interests do not conflict with ours. But somewhere some limit has to be fixed.

60. I want to know whether there is any conflict between the interests of the landholders of your class and the landholders of the lower class having an income below Rs. 1,000 ?—Well, the principle is that the classes must be represented. Landholder is a misnomer for our class. Our class is the class of Sardars and Inamdars.

61. So, you do not want representation for landholders ?—Now I would ask you to give the exact meaning of the term landholder in your question. If you mean that a person who pays Rs. 5 as assessment is a landholder, I do not include him in the term 'landholder'. By the term 'landholder' I mean big landholders in the sense that they are Inamdars and Sardars.

62. I wanted to know whether there is any conflict of interest between the landholder of the higher type and the landholder of the lower type ?—There is a conflict of interest between an Inamdar and a person who just owns a bit of land.

63. You have stated that your villages have been divided among a large number of sharers and therefore you have proposed that one of them should vote or the largest of them should vote ?—Yes.

64. Are you prepared to extend the franchise so far as your constituency is concerned to every co-sharer in the village ?—There must be some limit put somewhere and that limit I have suggested in my memorandum.

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65. What I want to know is whether you want to confine your electorate to the landholders ?—To the Sardars and Inamdars.

66. You have also stated that a village is held in shares and therefore an Inamdar's property after his death is divided among his sons. Are you prepared to enfranchise all the five sons on the ground that each one has a share in the village ? —No. My reason for this reply must go on record. It is this : the holder of a minor share does not care for the inam at all. Only big sharers care for the inams.

67. When you say class interests must be represented, may I ask your views about another matter ? In consideration of the fact that 12 should be your representatives, what should be the representation of the agricultural labourers ?—It is very difficult in the rural areas to define an agricultural labourer. The agricultural classes are themselves small holders of land and that class is overlapping always with agricultural labourers. There is no class of pure agricultural labourer as such.

68. You say that you (the landed aristocracy) founded empires, led armies and were principally responsible for the civil administration, army and defence and so on and that you are the natural and acknowledged leaders of the country. If this is so, why do you fear that the general constituency will not send you as its representatives ?—If the people send us as their representatives, then our men who go there will not be representatives of our class, but only representatives of the people. They cannot represent our interests.

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69. *Mr. Coverton :* The Inamdars have stated that they want to be included in their constituency both a person holding an alienated land paying Rs. 1,000 assessment and an inamdar who derives an income of Rs. 1,000 from his shares in the villages ?—Yes.

70. How do you suggest that the returning officer will be in a position to discover whether a particular inamdar has got Rs. 1,000 income or less upon his land ?—That will be done from Government records.

71. You say " deriving an income of Rs. 1,000 from his shares " ?—All the shares are registered in the revenue records and if any inamdar wants franchise on that score, then what he should do is to take certified copies of his shares in the various villages showing the amount and if they total Rs. 1,000 then he will be entitled to have the vote.

72. You say that the interests of the inamdars are on the strength of their occupation of land and therefore you will include in your constituency inamdars who pay Rs. 1,000 assessment in any large ryotwari zamindari ?—No.

73. Why ?—The ryotwari landholders' interests would be identical with the interest of the occupant. The interests of the inamdars are different.

74. *Mr. Munawar :* In answer to 2 (*c*) you say that the franchise should be extended by halving the present property qualifications and that persons owning a house of the value of Rs. 1,000 or more in the rural areas should be enfranchised. Who will be able to do the valuation of the houses ?—It will have to be done by the authorities as they do at present.

75. How many such houses will there be in a village ?—It will depend on the wealth of the villages. In Bagayat villages with canals, etc., there will be many such houses.

76. What do you propose with regard to the other villages where there are not many houses of that value ?—Such persons will come under the franchise arising out of the payment of assessment.

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77. So this is not a convenient basis to suggest ?—Every system has some evil, and this is the least objectionable I should say.

78. Now you say that the lowering of the franchise in urban areas will practically enfranchise the population in the industrial areas. You say that for your interest separate representation would be required. Do you mean to suggest that for Labour no separate representation is required ?—In cities like Bombay when there is lowered franchise lakhs of labourers will get the franchise and they can put up their candidates.

79. Then in that case, is it not inconsistent with what you say with regard to trade unions, *i.e.*, that representation of labour should be provided through trade unions ?—In addition to that special representation of labour, they will have this further chance of getting into the Legislature.

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80. *Rao Bahadur Angadi :* Under 5(*a*) at the end of paragraph 3, you have put in an extract from the Montagu-Chelmsford Report, and the last sentence reads thus : 'Our aim must be to call many more of them out into the political list'. I want to know whether the construction you have put upon it is this, that they intended to carve you out in the political list by creating pocket boroughs or they wanted you to face the general electorate ?—The paragraph means that a policy of encouraging the landholders to come out in public life be adopted. Whether they come through pocket boroughs or in open election or by means of special representation is a different matter.

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81. *Rao Bahadur Kale :* May I know whether he (Thakore of Kerwada) is representing the landholders ?—(*Sardar Bhasaheb*) : Yes.

82. And he was returned by what constituency ?—I was returned by the sardars and inamdars.

83. You have stated here that you want a second chamber because you think it would represent the important interests like the landholders and men of experience. And if a second chamber is constituted, do you still want separate representation for sardars ?—I would urge for it ; we must have the opportunity to place our point of view on the questions that will come up before the house.

84. *Sardar Mutalik :* You were a member of the last Legislative Council also ?—(*Sardar Bhasaheb*) : Yes.

85. Sixteen members were then sitting, and simply because some members of the general constituencies were landholders, this number swelled ?—(*Sardar Bhasaheb*) : I think I challenged a statement in open Council by moving a resolution. I maintained then and I maintain now that the term landlord was used in a very loose sense. A man having two acres of land was included for the purpose of this calculation as landlord. A man having a single hut and paying rent was also included. My idea of landlord was as shown in the Montford report. That report defined the landlords quite clearly.

86. Out of these 16 members who were from the landlords constituencies, about 9 came from Sind landlords constituencies ?—Yes.

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87. *Khan Bahadur Allahbaksh :* Are the tenants of Inamdars represented in the legislature ?—Certainly ; occupants have votes in the general constituency. Cultivators of the private lands of Inamdars belong to the agricultural classes.

9th March, 1932.] Messrs. V. N. MUTALIK AND DESAI AND SARDAR BHASAHEB. [*Concluded.*

88. They have no special representative on the legislature ?—No. The representatives of the general constituencies are the representatives of the agricultural classes.

Memorandum submitted by the INDIAN CHRISTIAN ASSOCIATION Poona.

[The answers to the Questionnaire express the opinion of the Protestant Indian Christian community in Poona which was ascertained at a public meeting convened for the purpose.]

I.—PROVINCIAL LEGISLATURES.

Section 1.

EXTENSION OF THE FRANCHISE.

(*a*) Property qualification, *viz.*, payment of rent, land revenue or tax should be substantially lowered. Voters for local bodies such as municipalities, District and Taluka Local Boards, Panchayats, etc., should have the right to vote for elections to the Provincial Legislative Councils.

Uniformity of franchise as between constituency and constituency should not be pursued if that results in depriving sections or units of population of the right to elect their representatives.

(*b*) Yes.

(*c*) Yes, local authorities and local officers of the Government should be charged with the responsibility of the maintenance of the electoral rolls and the provision and supervision of polling arrangements.

(*d*) *Nil.*

(*e*) Answer to (*a*) is not based on calculation of exact figures but it is recommended that when those qualifications are adopted no insistence should be placed on any arbitrary percentage.

(*f*) The proposal is too involved to be workable and if actually put into practice will not make for direct touch between the representative and the constituency. Moreover such a provision is likely to be abused by designing persons in the rural areas.

(*g*) Does not apply.

(*h*) The system of indirect election of representatives should not be introduced for electing representatives to the Provincial Legislative Council.

(*i*) Does not apply.

(*j*) Does not apply.

Section 2.

FRANCHISE QUALIFICATIONS.

(*a*) Exact information is not available but it is presumed that such a disparity exists. It is therefore suggested that the proposals in answer to (*a*) in Section 1 should be adopted; and wherever necessary and possible a qualification such as ownership of land or cultivation of lease land above a certain minimum or being a householder should be introduced.

(*b*) Differences in the voting qualification prescribed for different communities and sections of population are as a rule undesirable. But in particular cases and areas such a variation should be introduced with a view to confer the vote on citizens who would not be enfranchised by the general qualification.

(*c*) Property qualification understood in its widest sense is the most reliable index of the responsibility of the voter. It must however be understood that it is only one test of the voter's responsibility and public spirit. There are other tests such as education, experience of public affairs or occupation of responsible posts.

As suggested in (*a*) Section 1 the present limits of property qualification should be substantially lowered.

(*d*) Provided administrative and similar difficulties are overcome it might be provided that in the case of the Depressed Classes mere literacy, in the case of the backward communities the completion, say, of the IV Vernacular standard, and in the case of the advanced communities success in examinations like Vernacular Final, Matriculation and higher examinations should be considered as supplementary voting qualifications to the general property qualification which itself should be substantially lowered as suggested above.

(*e*) Yes. In the case of the Auxiliary and Territorial Forces service extending over the minimum number of years provided at recruitment should be insisted upon. Membership of training corps without any service liability should not qualify for the franchise.

Section 3.

WOMEN'S SUFFRAGE.

(*a*) All women who satisfy the requirements of the general franchise should be allowed to vote on the same conditions regarding age, etc., as men. Over and above this to reduce this disproportion as between the voting parts of the male and the female population as far as it is desirable and possible to do so in the present conditions of India, it should be provided that mere literacy in the case of women belonging to Depressed and Backward Classes and the passing of an examination such as, say, the IV Vernacular standard, in the case of women belonging to the advanced communities, should qualify them for a vote. It is not considered advisable in the present conditions of India that merely being a wife or a widow of an enfranchised citizen should qualify women for the vote.

(*b*) Not applicable.

(*c*) A certain minimum percentage of women members should be secured in the legislature. It is however considered that at least for a few years to come nomination will be a more suitable method than co-option to fill those seats if they are not filled by women candidates elected at the polls.

Section 4.

REPRESENTATION OF DEPRESSED CLASSES.

No remarks to offer with reference to the composition of the Depressed Classes. As a provisional measure it is suggested that a certain minimum number of seats in the Local Legislative Councils should be reserved for the Depressed Classes and should be filled by election from the common electoral roll. If a sufficient number of candidates from the Depressed Classes do not take part in election the deficiency should be made good by nomination.

Memorandum by the INDIAN CHRISTIAN ASSOCIATION. [*Continued.*

Section 5.

REPRESENTATION OF LABOUR.

It is suggested in answer to Section 1 (*a*) that variation in voting qualifications should be adopted wherever possible to bring in as many members of important sections of the population within the fold of the electorate as possible.

This method should be particularly followed in the case of the working classes. Moreover a certain minimum number of seats whose number will vary from province to province according to the importance of labour in the life of the province concerned should be reserved in the Legislative Council. If in the general election a sufficient number of labour representatives are not elected to fill these seats they may be filled by nomination. In areas where organised labour exists registered labour organizations should be consulted regarding the persons to be nominated. No definite basis for allotting representation can or need be laid down. An attempt should be made to lower the franchise itself so as to bring in as many labour representatives by direct election as possible. In the meantime a certain number which will secure adequate opportunities for the expression of labour views should be provided.

Section 5 (a).

REPRESENTATION OF SPECIAL INTERESTS.

Subject to the remarks made above about labour and with the exception of landholders who it is considered do not require any special representation, it is admitted that such special interests as Universities, Commerce and Industries should have the opportunity to send representatives to the Legislative Council principally for expressing their views on matters affecting the province in general and their own interests in particular. The present qualifications with respect to University elections should be substantially lowered say to all double graduates and to graduates of three years' standing. An attempt should be made to see whether in particular areas common representation for European and Indian Commerce cannot be arranged for.

II.—FEDERAL LEGISLATURE.

Section 6.

ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) It is accepted that the Upper Federal House should be composed of members elected by Provincial Legislative Councils by the method of single transferable vote.

(*b*) In principle no such difference is desirable between the popular federal house and the Provincial Legislative Council.

(*c*) Direct election to the lower federal house should be secured as far as possible. The difficulties of having unmanageable constituencies will be minimized by increasing the number of members say to 400 to begin with. In urban areas which should secure their own quota of members in proportion to population much difficulty is not expected to arise, as even when more than one city has to be grouped in one constituency it will not be difficult for the candidates to maintain touch with their voters. In the rural areas indirect election for some years to come at least appears to be inevitable and this can be best arranged for by constituting the local bodies such as the panchayats as intermediaries between the primary voter and the candidate. Where no panchayats exist *ad hoc* electoral committees should be set up.

Memorandum by the INDIAN CHRISTIAN ASSOCIATION. [*Concluded.*

Section 7.

REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

The same principle should be followed as indicated in the case of Provincial Legislative Councils.

Section 8.

GENERAL.

It is not desirable that the Committee should start with any preconceived conviction about a certain maximum or minimum percentage of enfranchisement. Given the goal of adult franchise, it should be the endeavour of the Committee to find out as many ways as possible to ascertain the responsibility of the would-be voter. Any percentage that such a procedure yields should be accepted as the best under the circumstances. Secondly any disparities, privileges and special qualifications created for the time being should be declared to be provisional and subject to revision after the lapse of a stated number of years, 15 or 20. This should leave the door open to the establishment of a uniform electoral basis in the future, if by that time adult suffrage is considered impracticable.

In connection with this questionnaire of the Franchise Committee we would like to point out the fact that no distinction whatever is made between the "depressed" and the "backward classes." In fact in the Simon Commission's Report though the Backward Tracts are mentioned, the Backward Classes and their needs have nowhere received any attention. The Backward Classes are to be found partly amongst the non-Brahmins and partly amongst the Depressed Classes. It is this midway position that the Indian Christian, especially the Protestant section, occupies and the result is that owing to its high rank in literacy it is ranked third amongst the communities in India and thus foregoes the sympathetic and special treatment accorded by the Government in the matter of appointments, etc., in the public services and other privileges granted to the "backward classes." The majority of the Protestant Indian Christian community is drawn from the Depressed Classes but owing, as stated above, to its progress in education it is not classed as such, although in commercial enterprise, in initiative, in the possession of landed property, etc., it possesses all the characteristics of the Backward Classes. Under these circumstances we desire to point out that for all practical purposes the community should be classed as belonging to the Backward Classes and thus be entitled to all the privileges granted by the Government to those classes.

Memorandum submitted by the CATHOLIC GYMKHANA, Bombay.

PROVINCIAL LEGISLATURES.

I. EXTENSION OF FRANCHISE.

(*a*) Existing property franchise be reduced by one-half to one-fourth.

(*b*) Yes.

(*c*) Yes.

(*d*) Does not arise.

(*e*) Yes. We have no objection to the electorate being further enlarged on, for example, an educational basis.

(*f*) We are concerned with Bombay and we are of the impression that the group system will not be feasible in Bombay, and therefore the question of joint or separate constituencies does not arise for Bombay.

(*g*) Does not arise.

(*h*) We consider that this would be neither feasible nor advantageous.

(*i*) Does not arise.

(*j*) Does not arise.

II. FRANCHISE QUALIFICATIONS.

(*a*) As we are acquainted with Bombay, this question does not arise.

(*b*) We are in agreement with the proposal of giving each community a voting strength proportionate to its numbers provided this is made applicable only to such communities as would not secure such representation under the adopted system or systems of franchise.

(*c*) We consider the existing property qualifications suitable provided the existing limit is lowered as suggested above.

(*d*) Yes. We are in favour of introducing a qualification based on education independently of property. The educational qualification we suggest is IV Vernacular or III English.

(*e*) Yes.

III. WOMEN'S SUFFRAGE.

(*a*) We agree that the wives and widows of men entitled to vote under the property qualification should be enfranchised provided they are 21 years old.

(*b*) Does not arise for Bombay City.

(*c*) We are not in favour of the Local Legislature co-opting women members. We feel that women should stand for election on the same footing as men.

IV. REPRESENTATION OF THE DEPRESSED CLASSES.

We are of the opinion that the term "Depressed Classes" should include only the untouchables.

We are of the opinion that the Depressed Classes will not be able to secure all the representatives of their own choice in the general electorate. We therefore think that for a limited period of time, say 10 years, they should be given a separate electorate.

V. REPRESENTATION OF LABOUR.

(*a*) We think that Labour in Bombay which is or will be organized should be given reservation of seats with a special electorate.

(*b*) Does not arise.

VI. REPRESENTATION OF SPECIAL INTERESTS.

That all the special interests represented at present should be retained, and we strongly suggest that representation be given by a special electorate or otherwise to all the Professions, such as the Medical, Legal, Engineering, etc., through their recognised or registered institutions.

THE FEDERAL LEGISLATURE.

VI. (*a*) We agree.

(*b*) We agree and suggest that graduates of Indian and British Universities be added.

Memorandum by the CATHOLIC GYMKHANA. [*Concluded.*

(*c*) We consider that election to the Federal Lower House should be by territorial constituencies and by the direct vote.

VII. We think that a labour representative should be elected through the registered Trade Unions.

ANGLO-INDIANS.

We suggest reservation of seats in a joint electorate.

INDIAN CHRISTIANS.

We suggest reservation of seats in a joint electorate.

Rev. R. S. MODAK, M.L.C., Representing the Protestant Indian Christians of the Presidency.*

Dr. J. A. D'SOUZA, M.L.C., Representing the Catholic Gymkhana.

1. *The Chairman:* Are you speaking together?—(*Mr. D'Souza*): I am speaking on behalf of the Catholic section of the Indian Christian community.

(*Mr. Modak*): I am speaking on behalf of the Protestants.

2. What is the total Indian Christian population in the Province?—(*Mr. D'Souza*): 274,087.

3. Can you tell me how many Protestants and how many Roman Catholics?—I can give you the figure with regard to Bombay, I am afraid not with regard to the whole presidency. In the Bombay city it is about 92,270 and of these about 60 to 70 per cent. belong to the Catholic denomination.

4. Do you agree to these figures?—(*Mr. Modak*): Yes.

5. In other provinces the Indian Christian population, both Catholic and Protestant, have asked for separate electorates for the Indian Christian community. What is the view of the Indian Christians in this province?—I can give you the view of the Catholic section. I have got the resolution passed in the month of September 1930 where we Catholics all met together in the Cowasjee Jehangir Hall, at a rough estimate about three or four thousand Catholics, and this is the resolution that was passed?—"That this meeting of the Catholics of Bombay dissociates itself from the resolution passed at the All-India Catholic Conference at Mangalore demanding separate electorates for Indian Christians as they are detrimental to the interests of the country and the community and expresses itself in favour of joint electorates with reservation of seats for the present and that the President be empowered to forward this resolution to the Secretary of State for India and to the Viceroy." That is the mandate to me.

6. You want reservation of seats in the joint electorates, how many?—I base my conclusions on the Nehru report and claim three seats for the Indian Christians in the Presidency.

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* The Rev. R. S. Modak, in a letter which he sent subsequently, stated:—

"In the course of my evidence, it was suggested that three reserved seats be granted to the Indian Christians on the Bombay Legislative Council. Further, these be divided into Bombay and other districts. Bombay being the largest Christian centre, two seats be given to it. The third was proposed for Karachi. In population, Ahmednagar-Deccan stands next to Bombay and therefore deserves to have the third seat. Then, both at Bombay and Karachi Catholics are in the majority and they are likely to get all these seats if they are fixed for Bombay and Karachi, which will cause discontent in the Protestants."

7. Do you want multi-member constituency in which there will be reservation of seats for the Indian Christians ?—Yes.

8. That will mean that you will have three multi-member constituencies in order to get reserved seats ?—Yes.

9. Where would you have them ?—Two seats in Bombay and one seat possibly in Karachi.

10. The rest of the population would have no representation ?—In that case villages may be grouped together and districts may be put together. Karachi may be put together with some districts round about.

11. Somehow we must arrange for the rest of the community to be represented ? —That is why I suggest it may be made up of Karachi and the surrounding districts.

12. You must limit the constituency with some regard to the population. Your proposal is quite clear, 3 seats in multi-member joint electorates in Bombay and Karachi, two reserved seats in Bombay and one outside, in Karachi. That is your proposal ?—Yes.

13. (*To Rev. Modak*): What comments have you to make on that ?—(*Mr. Modak*) : I suggest that we have three seats but not necessarily one in Karachi alone as a permanent measure, because we have a much greater population in Ahmednagar than in the Deccan.

14. Do you want separate electorates or joint electorates ?—We would like to be treated along with other minorities in a general way but we would prefer joint electorates with reservation of seats.

15. You want multi-member constituency in some centre where there is a large Indian Christian population ?—Yes.

16. Your proposal does not differ fundamentally from Mr. D'Souza's except that you might prefer Ahmednagar to Karachi ?—Yes.

17. *Lord Dufferin :* Why do you want Karachi ? Ahmednagar is 4 times as large.—(*Mr. D'Souza*) : I suggested Karachi because it is an important centre.

18. But you want a place where there is a lot of your community, not because of its importance ?—That difficulty may be got over by combining other districts with Karachi for the purposes of voting. I am not hot on Karachi.

19. In Kaira you have a bigger population ?—Yes.

20. *The Chairman :* What representation have you at present ?—One seat by nomination.

21. *Dr. Ambedkar :* You propose three seats. Would you, for instance, permit a man residing in Poona to stand as a candidate for a reserved constituency in Bombay ?—I expect that will be so if residential qualification is going to be eliminated. That is what we proposed in our Provincial Committee's considerations. In that case any member from any district can stand anywhere.

22. *Rao Bahadur Angadi :* With regard to the enfranchisement qualification you say in (*b*) " We are in agreement with the proposal of giving each community a voting strength proportionate to its numbers provided this is made applicable only to such communities as would not secure such representation under the adopted system or systems of franchise." ?—That is what my Committee felt.

23. You have stated that there should be educational qualification. Do you mean to say if this educational qualification is given the proportion will remain the same as suggested there ?—I don't see how exactly one question fits in with the other.

24. By introducing this qualification do you know that the advanced communities will be given adult franchise ?—My community had not the faintest idea as to what number would be enfranchised under the educational qualification.

25. With regard to "representation of special interests" you say "we strongly suggest that representation be given by a special electorate or otherwise to all the professions, such as the Medical, Legal, Engineering", etc., why do you suggest that ?—That is the view put up by the Committee but I hope you will not lay any particular stress upon it. It is the view of the majority; it is not unanimous.

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26. *Mr. Haji:* You have said that in the general electorate you wish to reserve three seats for your community. Do you expect on the general electorate to get representation of your community ?—I don't think there should be any difficulty.

Memorandum submitted by the BOMBAY PRESIDENCY HINDU SABHA.

The Bombay Presidency Hindu Sabha has the pleasure of submitting its views to the All-India Franchise Committee on the points raised by them in the Questionnaire. The replies are in the order of the questions.

1. (*a*) If literacy is adopted as a qualification for a voter, it will raise the number of voters to 11 per cent. there being, according to the 1921 Census, 10,468,000 adult population of British District in the presidency over the age of 20. The number of literates for corresponding age of 20 and over is 1,157,182. Besides literacy, the existing property qualification should be lowered so as to enfranchise 25 per cent. of the population. The number of literates preponderate in urban areas no doubt but this will not give larger representation in the Legislature to urban areas unless the number of voters in urban and rural areas determines the number of representatives of urban and rural areas in the Legislature. Literates are generally more intelligent than illiterates and they should be enfranchised. This brings the franchise to about 11 per cent. of the adult population only and methods have to be explored to enfranchise about 14 per cent. more. This can be done by enfranchising cultivating owners and their wives or widowed mothers of male owners. In the 1921 Census, the number of cultivating owners of land in the British portion of the Province has been returned as one million two hundred and seventy-four thousand males and four hundred and fifty-six thousand females. The number of cultivating tenants being one million seventeen thousand males and three hundred and eleven thousand females respectively. If franchise is for the present extended to cultivating owners and their wives and widows to the exclusion of the cultivating tenants, about two million persons or more will be enfranchised and this from rural areas which, at the sametime, will raise the number of women voters nearly equal to that of men.

(*b*) We think such voters will be capable of casting an intelligent vote.

(*c*) Such an electorate would be administratively manageable though more labour and expense may be required than at present.

(*d*) An answer does not arise in view of the above.

(*e*) Further extension of franchise than that suggested above is of course desirable, and it may be left to the choice of the reconstituted central legislature or to that of the provincial legislature with the approval of the Central Legislatures.

(*f*) The Sabha is not in favour of indirect elections, the reason being that a voter does not know whom he is sending as his representative to the legislature under such a system. If adult suffrage is considered as impracticable for the present (the Sabha, however, does not share this view) franchise should at least be extended to about 25 per cent. of the population. Group system should never be applied to

9th March, 1932.] Memorandum by the BOMBAY PRESIDENCY HINDU SABHA. [*Continued.*

towns, even if it is applied to rural areas. The Sabha, however, does not favour the group system even for rural areas.

(*g*) In the event of separate constituencies being framed for group electors, any qualified voter and not only group electors should be qualified to stand as candidates for such constituencies.

(*h*) The Sabha is against abolishing the existing system of direct election and confining electorates for all constituencies to secondaries chosen by groups of primary voters, as, in its opinion, indirect system will hamper the growth of political education and sense of political responsibility of the voters.

(*i* and *j*) Answer does not arise in view of above.

2. FRANCHISE QUALIFICATIONS.

(*a*) There is a disparity at present in the operation of the franchise qualifications in urban as compared with rural areas. This can be rectified to some extent by lowering the standard of qualifications and making it uniform but it cannot be removed altogether unless adult suffrage is adopted.

(*b*) Each community may be given a voting strength proportionate to its numbers provided it can be done without making a distinction between the communities with regard to their voting qualifications. It is difficult to achieve this object without introducing adult suffrage.

The Sabha is against separate electorates being retained as they are incompatible with the principles of responsible government. They are apt to create friction and misunderstanding between the nationals of the country. The principle of reservation of seats in joint electorates may, however, be adoped to give fair representation to minorities.

(*c*) Possession of property of some kind either by way of ownership or occupancy is not, necessarily, a suitable test of fitness for the franchise but in the absence of adult suffrage, it has to be adopted, independently of literacy.

(*d*) Yes, we are in favour of introducing a qualification based on literacy independently of property.

(*e*) Yes.

3. WOMEN'S FRANCHISE.

(*a*) Wives and widowed mothers of men entitled to vote under the property qualification should be enfranchised. The same literacy qualification for women as for men would not give women as many votes as to men, because the percentage of adult literate men to adult males and of adult literate women to adult females in the British portion of this presidency is 19 and 2 respectively. Hence, in order to increase the number of women voters, it is also necessary to lower the age of literate women to 16 years while in the case of property holders of their wives, it may be fixed at 18 or 21 years.

(*b*) In the event of a system of group representation being established, there should be separate groups for men and women, as women in communities observing *purdah* may not come forward to exercise their votes in mixed groups.

(*c*) As a temporary measure, legislatures may co-opt women members to an extent not exceeding 5 per cent. to ensure some representation for them though this is not very necessary.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

In the case of the Depressed Classes, the method of representation by nomination should no longer be continued.

As enumerated in the Report of the Depressed Classes and aboriginal Tribes Committee, Bombay Presidency (March 1930), about 36 castes and sub-castes are generally included in the term.

Group system is undesirable even in case of the Depressed Classes. Adequate number of seats should be reserved for them in joint electorates, 50 per cent. for members from amongst their own community and 50 per cent. for those who will declare that they are for abolition of untouchability and will work for it. This arrangement should be limited only for ten years as reservation has a tendency to stereotype caste system. It is not necessary to give weightage to any community in the presidency.

5. REPRESENTATION OF LABOUR.

Representation should be given to organised labour in cities through the Trade Unions. We cannot suggest any method of giving representation to agricultural-labour except through adult suffrage.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

Our view is that representation of special interests such as University and Commerce may be retained, but European and Indian Commerce should have joint electorate with reservation of seats for Europeans through such common electorates. Such reservation should be limited to a period of ten years only.

6. FEDERAL LEGISLATURE.

Allocation of seats to British Indian Provinces.

We are in favour of the proposal that representatives of the British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislatures by a single transferable vote.

In the case of Federal Legislature the franchise qualification, both of literacy and property, should be higher than in the case of provinces.

Our objections to indirect system of election have already been recorded above. Political education and responsibility are important factors to be considered in this connection. Indirect system does not promote either of these. Moreover indirect elections by group systems are much more open to malpractices than direct elections.

8. GENERAL.

The Sabha feels bound to emphasize the fact that as separate electorates are detrimental to the sustenance and growth of nationalism, they should not find place in the constitution. Differences of religion or creed do not obliterate the vital unity of interest in most matters that substantially affect the life. Economic interests of different classes of each community must coincide and the legislature will mostly deal with such questions. All that is necessary is to guarantee in the constitution to all communities freedom of religious belief and worship, subject to public order or public moral and further to guarantee to all nationals of the country, equality of civil and political rights and admission to public employment functions and honours according to the merits of the individuals without distinction of caste or creed, as has been done at the instance of the League of Nations, in a number of constitutions framed in recent years in various countries where there has been a diversity of race, religion or language amongst the people. The British Government is one of the big powers who are members of the League and have played an important part in the shaping of the minorities' treaties concluded between the British and other powers on the one hand and the new countries on the other. The principles and solutions adopted by the League of Nations with regard to the protection

9th March, 1932.] Memorandum by the BOMBAY PRESIDENCY HINDU SABHA. [*Concluded.*

of the minorities deserve and command serious consideration for acceptance and application in this country also, the problems in those countries being almost identical to those in this country.

The Committee desires to make an observation with regard to weightage. It is obvious that weightage cannot be given to any section of the community without making a direct encroachment on the rights of the other section or sections of the community and such an encroachment must naturally be sorely resented by the section affected by it and form a source of constant rankling and friction between sections and sections of the people without doing any real good or benefit to the favoured section. Assuming however that it does any good to any section it is still objectionable, impolitic and indefensible. The aim of the constitution framers should be to do away with inequalities and disabilities, if any, attaching to any section of the community and not to create new inequalities or add to any if existing. It is easy to imagine why weightage does not find place in the constitutions and electoral systems of any country where protection of minorities has been guaranteed in the constitutions of those countries through the intervention of the League of Nations. It is plain enough that weightage cannot be given to any section or community without setting at nought the principles of equal justice and fairplay for all persons and sections of the community, and without brushing aside considerations, which are very important, of future harmony and goodwill among all concerned.

The principles evolved and applied in the case of nearly 20 countries including Albania, Greece and Turkey for the protection of minorities, by the League of Nations, stipulation in regard to which constitute obligations of international concern and are placed under the guarantee of the League of Nations, are sound and rational solutions, and represent collective wisdom of the nations. They are capable of promoting harmony and goodwill between different sections of the people of those countries and secure friendly treatment to minorities and co-operation from minorities with the majority. These principles cannot be discarded or disregarded with responsibility and statesmanlike foresight for the real interest not only of the countries but also of the minorities themselves.

Raja Bahadur GOVINDLAL SHIVLAL MOTILAL, Representing the Bombay Presidency Hindu Sabha.

1. *The Chairman :* You represent the Bombay Presidency Hindu Sabha ?—That is right.

2. Mr. Jayakar is your President ?—Yes.

3. You are in favour of the extension of the suffrage to 25 per cent. of the population. Is that correct ?—Yes.

4. That is, 50 per cent. of the adult population ?—Yes.

5. And you make various proposals here for doing so ?—Yes.

6. You are against any form of indirect election—group system ?—Yes.

7. As far as women suffrage is concerned, you are in favour of enfranchising wives and widows ?—Yes.

8. And you are broadly in favour of the system of reservation of seats. Does that mean that you are in favour of multiple member constituencies ?—Yes.

9. For the present system ?—Yes.

10. *Diwan Bahadur Ramaswami Mudaliyar :* You suggest that the depressed classes should be represented 50 per cent. by their own number and 50 per cent. by anybody who is in sympathy with the depressed classes ?—Yes.

11. How would you apply that test of sympathy ?—I have said those who declare that they shall stand for the abolition of untouchability. That is the test I apply.

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12. You suggest that commercial interests should be represented by men elected by a joint electorate of Europeans and Indians. Have you any reason to believe that Indian commercial interests will agree to this proposal ?—I think they would.

13. Have you tested their opinion by any means ?—I am a member of the commercial community and I know that this will meet with their approval.

14. Are you a member of the Indian Chamber of Commerce ?—I am.

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15. *Dr. Ambedkar :* What are the interests that are represented on the Council of the Hindu Mahasabha ?—All sections of the Hindu community.

16. Will you tell me whether there are members of the depressed classes also ?—There are members not on our Council but they are members of the general body.

17. How many ?—There would be about 50 members of the depressed classes.

18. There are none on the Committee ?—Not on the body that was responsible for drawing up this memorandum.

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19. *Mr. Butler :* Do you believe in the special representation of the landowners and millowners ?—Yes, we are in favour of it.

20. You do not mention that in your memorandum ?—No.

21. How would you work this European and Indian Commerce ?—They shall have a joint electorate. (Just as they have to-day their separate electorates.) There will be one common roll for Europeans as well as Indians and they shall jointly elect members and there will be reservation of seats for Europeans.

22. Would you have cumulative voting ?—Yes, we might have cumulative voting.

23. *Mr. Haji :* In a joint electorate would the overwhelming majority permit a candidate of the minority community to be elected of their own choice ?—The choice will lie with the merits of each individual and not with this community or that community.

24. The choice will be with the majority ?—Yes.

25. *Mr. Jadhav :* You recommend that literacy should be one of the qualifications ?—Literacy should be the test.

26. Will not that give adult vote to the advanced communities ?—Yes.

27. And backward communities will not be enfranchised ?—They will be.

28. The advanced communities will have more adult voters on the list, while in the case of the backward communities a very small proportion will be enfranchised ?—Yes.

29. Is that the right procedure ?—It is considered to be so because you cannot give the vote irrespective of qualifications to anyone and everyone. You require a certain test. You have got to select men who have got some qualifications.

30. You mean that the administration of the country should be carried on by the advanced communities and the backward communities should quietly submit to that administration ?—This aspect . . . . . .

31. Is that the goal of the Hindu Mahasabha ?—That is not the goal. Unless you give adult franchise we have advocated that.

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9th March, 1932.] Raja Bahadur GOVINDLAL SHIVLAL MOTILAL. [*Concluded.*

32. *Sardar Mutalik:* You say in your memorandum that any representation for special interests should be retained only for 10 years. What is your ground for keeping that only for 10 years ?—We have to take into consideration the attitude and the views of the Government and the other communities also. Taking that into consideration we have suggested reservation for 10 years. Otherwise we would not have suggested it.

33. How can you judge the mind of the next Council towards special interests ? —This refers to reservation for commercial interests—European and Indian. For 10 years seats should be reserved and not after that.

34. Should they have a joint electorate ?—Yes.

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35. *Rao Bahadur Kale:* About women franchise you say wives and widowed mothers should be enfranchised. Suppose she is not a mother and is in a joint family ?—If the husband is the elector and if he is living then the wife may also be enfranchised. But there may be cases where the husband may not be living and there may be a son. The mother of the son, that is the widow, will not be a wife. If she is a widow how are you going to say that her husband was entitled to vote—That is why we say widowed mothers.

36. My question is about the widows of a joint family without a son ?—You are referring to a case where she may not have a son.

37. Yes, widow without a son ?—You should have a vote for her.

38. *Mr. Winterbotham:* Will you tell me what is the idea underlying your recommendation that European and Indian Commerce should have a joint electorate with a reservation of seats for Europeans ?—The idea underlying is that European and Indian Commerce will have greater co-operation.

39. Do you know how the present representatives are elected and how do you think is your proposal going to make their interests more common ?—There is a certain amount of community of interests between them and therefore they will work together in elections. There will be better feeling between Indian and European commerce, just as you have in the Millowners' Association Europeans and Indians together. Similarly in so many walks of life and so many items of business Indians and Europeans have an identity of interest. Where their interests differ this reservation comes in and works for some time.

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40. *Rao Bahadur Asavale:* In your memorandum you say 'we cannot suggest any method of giving representation to agricultural labour except through adult suffrage.' If adult suffrage is not introduced what becomes of the agricultural labour ? Do you mean to say that there should be no representation for them if adult suffrage is not reached ?—We have not yet been able to think of any method by which they can be represented.

41. You have suggested many other things, educational qualification, giving the vote to widowed mothers and wives, but nothing has come to your mind as regards agricultural labour. You have not considered as to who are to be enfranchised ?—It really comes to having adult franchise and we favour adult franchise. We do not want to make any distinction between interests and interests.

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42. *Dr. Solanki:* May I know the aims and objects of your Sabha ? You said its aim is the removal of untouchability ?—It is the organizing of the Hindu society.

43. Do you also get back people to your fold by *Shudhi* ?—Yes.

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Memorandum submitted by Mr. G. K. DEVADHAR, C.I.E., M.A., Poona.

I am very happy even at this late stage to utilize this opportunity to express my views on many vital questions relating to the tough problem of the extension of the franchise which is bristling with no few administrative difficulties and the vast variety and complexity of which looked for a time a sufficient ground not to undertake the task of expressing so widely divergent views even among certain sections of the Liberal Party to which I have the honour to belong. But other more substantial reasons have prevailed upon me and I am submitting, therefore, my views, though somewhat late.

2. There are, however, special reasons why persons of my way of thinking should express even with the scanty material at their disposal, their opinion, at the present moment, on such of the live issues or questions of the day as are most closely connected with the impending constitutional advance based upon a broader and more comprehensive franchise in the absence of universal adult suffrage which is now generally recognized as the goal of all parties in the country but the immediate realization of which has to be postponed for some time for very sound reasons. The time thus gained should now be utilized for the paving of the way to bring into existence the reality or the actuality of general adult franchise by a steady advance which should be provided for in the constitution in regard to stages for its gradual expansion till the goal is reached with the help of education and betterment of the general condition of the masses. There are many who are very closely associated with the Liberal Party and who have zealously laboured for over one or two decades in popularizing some of the neglected causes, the need for the recognition of the importance and justice of which is now being clearly felt as a result of the political education the country has received in the past; and any measures or steps, therefore, which members of that party would now advocate would be such as would necessarily support these causes and promote them in the interests of the minorities, the depressed classes, women, aborigines, and labouring classes, because by improving their lot without the sacrifice of any basic principles and by enfranchising them; for in that way alone, they feel that the country and the Government could secure a truly effective and responsible democracy. Any constitution that could be forged for the good of the country must be so drafted that there would be definite endeavour at effecting a healthy fusion of the so-called different interests that have come to be magnified to-day and at bringing about a harmonious welding of the apparently conflicting elements. This alone would be the real test of a healthy, sound, and truly national and political advance towards the achievement of the status of equal partnership within the British Empire which is our goal and which, if secured without any loss of time, in a proper spirit, would bring contentment to the classes and the masses of the country and secure steady all-round progress. The end of all political reform and freedom is social happiness to achieve which is the object of every political organization and more so of a party like the one to which I belong.

3. It is the firm conviction of people of this school of thought that the true progress of this land will rest upon the system of franchise that comes to be evolved, its nature and scope, and the ways and means that are adopted to introduce it. Moreover, it is the firm belief of men of liberal thought that unless a few basic principles are defined and closely adhered to, such as adult franchise, joint electorates, merging of classes, equal opportunities, removal of sex or class bar, etc., the introduction of any wider system of franchise would not be conducive to true permanent national interests of the country and healthy growth of the masses of the people whose happiness and contentment must be the aim of any well-regulated, rightly developed and fully organized political community.

4. I am, however, painfully aware of the intricate nature of this problem which is complex in its character and very difficult of easy solution. Moreover, it is so

Memorandum by Mr. G. K. DEVADHAR. [*Continued.*

very widely different in different provinces that any attempt at even a reasonable unanimity would be sheer impossibility, but barring extreme views, it is quite possible within reasonable limits to fix up a few essential points for agreement, so as to indicate the working basis for a scheme which with some modifications needed by local conditions, without sacrificing the essentials, could be made applicable to most of the territorial divisions of India. I would like to reiterate the importance of a correct and comprehensive method of franchise because that alone would furnish the foundation or substratum on which the edifice of the political reform with Provincial and Central Governments is to be successfully reared up. In order to make the political and constitutional progress broadbased, the franchise must be large enough. It must extend to those realms that were so far beyond the scope of its operations. I, as a Liberal, have no hesitation in declaring that I feel and believe that the British Government does honestly desire to grant a very substantial measure of political advance in the shape of Dominion Status, so as to make India an equal partner of the British Commonwealth. The contemplated reforms, therefore, must be in strict consonance with that policy. Particular care has to be taken at this stage that the system of franchise should be so devised as to avoid the common errors of making it too wide and elastic as to leave out the best brains, culture, other powerful resources and useful elements in the country outside the scope of its working, and to divide the people into many warring and obnoxious groups. It should, moreover, afford ample scope to fulfil or satisfy the legitimate ambitions and desires of those classes that have now awakened to a due sense of their importance and status, and let us also hope to a proper sense of their responsibility. It must further so obliterate the differences that the society should be rid of all divisions and factions which cut people asunder and tear the society and the community to pieces by encouraging the separatist tendency. The system of franchise should make for unification and not result in disintegration. If one strengthens the socio-political fabric the other makes society most feeble and renders it a prey to interested groups in no way national in their outlook.

5. This is not the place to go into the history of the question of the gradual widening of the franchise and the principle and the policy of representation to the different legislatures; but it is useful to bear in mind at this stage of the discussion that any steps that might have been taken in the past by any responsible statesmen or political leaders to placate the sympathies of special interests to avoid difficulties in the way of national advance, they were more or less a matter of expediency for the time being, but not a permanent healthy policy defined. They were temporary props. These transient palliatives could not be made the basis to build thereon a permanent superstructure meant to serve the purpose of a workable and stable constitution on broad basis, in no way, however, inconsistent with the basic principles that ought to guide the truly democratic machinery of Government entirely national in outlook and capable of producing lasting results to secure the true welfare both of masses and the classes who have to be so knit together in bonds of true patriotism as to produce one solid mass or brotherhood of loving and progressive citizens of this vast country and also of the great Empire, living in peace and promoting good-will among all the subjects of His Majesty's Government.

6. The above-mentioned principles have so far governed the conduct and activities of the party styled "Liberal" but which is both truly liberal and entirely national in its outlook in the past since the impact of Western culture and civilization. The observations that will be made hereafter in the examination of the several topics that have been touched in the questionnaire emanate in that spirit. They are as follows. The aim and the policy of universal adult suffrage, the methods that are going to be advocated, and sought to be adopted to secure it in as large a measure as possible, the qualifications for, and the limitations that come to be imposed upon, its application, the need for its expansion and the lines along which

its extension has to be pushed on, the modes of securing an adequate representation of the yet unenfranchised groups or classes like the women, the depressed classes, the aboriginal classes, and the labouring classes residing in urban as well as in rural areas.

7. There are some other subjects belonging to this category which come to be mixed up unavoidably in this general survey, but which have been specially kept out of account. As far as possible this memorandum will not touch questions like:—

(*a*) Special electorates for minorities.

(*b*) Representation of special interests.

(*c*) Advisibility or otherwise of creating bicameral legislature within the Provinces.

(*d*) The qualifications or disqualifications of candidates.

These questions, however, are so interlinked that it is very difficult to avoid references to them while discussing the wide issue of the franchise and the ultimate voting strength that would be secured at the other end of the legislative ladder and the time that would be needed to climb it.

8. The questionnaire issued by the Indian Franchise Committee, however, deals principally with the following subjects, among others, and calls for an expression of opinion specially with regard to the following:—

(*a*) Franchise for elections to Provincial and Central legislatures.

(*b*) Method of election—direct or indirect.

(*c*) The proportion of the adult population that could be enfranchised anew in addition to those that have been already put on the electoral roll.

(*d*) The merits or otherwise of the group system.

(*e*) The difficulties in the way of giving effect to the accepted basis of franchise or suffrage.

(*f*) Qualifications of voters.

(*g*) Groups of voters—territorial or communal.

(*h*) Representation to women.

(*i*) Representation to the depressed classes.

(*j*) Representation to labour.

(*k*) Representation to the aborigines.

(*l*) Special interests not covered by the above classification.

I shall now deal with the above questions one by one as far as possible.

(1) *Franchise.*

9. Granting that universal adult suffrage was the generally accepted and truly legitimate goal to be reached within a reasonable time, the present strength of the existing electorate is very unsatisfactory. For instance, in a Province like Bihar and Orissa it is reported to be "only just over one per cent. of total polpulation" and in a few other progressive provinces it is not supposed to exceed 3 per cent. of the population. Thus, a fresh start to enfranchise 10 per cent. of the population, would not be a bad beginning to go ahead with that objective; though some of the officials see many initial difficulties. The constitution should definitely lay down a judicious scheme of lowering the franchise, so that the proportion of

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enfranchised adults would be steadily on the increase and in course of time, by gradual steps, we may be within an easy reach of the goal. Having once definitely adopted the policy of broadening the franchise, attempts could faithfully be made to overcome the obstacles and difficulties by introducing a large element of available non-official administrative machinery with facilities to cope with the difficulties and to carry out faithfully the work entrusted to it to bring by gradual steps within the enfranchised circle 10 per cent. of the total population. There ought not to be much difficulty in securing presiding or returning officers or polling stations as pointed out by officials who have to bear the brunt of the actual work. These could be had in the persons of Head Masters of Schools, Municipal servants of superior grade, Officers of the Co-operative and Agricultural and Health Departments, as also of Co-operative Banks, etc. . For women voters special returning or presiding officers could be enlisted, as suggested by a lady witness, in the persons of School Mistresses, Nurses and Health Visitors not employed in Hospitals and having a day's holiday. All these could be armed with instructions about the procedure to be followed in such cases in the same way in which census enumerators are trained and employed. The difficulty of polling booths or stations could with some effort be removed. Schools, Municipal buildings, Chavadis, other buildings of public utility concerns, etc., could be found for this purpose of a temporary character. Even the courtyards of temples and other places of worship could be borrowed or rented for small consideration.

In order to secure for enfranchisement 10 per cent. of the population several methods have to be used. First, the franchise has to be lowered, secondly, in rural parts where even the lowering of the franchise would not be of much avail, group system could be introduced. The two-fold method would yield the desired results. Grouped areas might form a constituency with the power of electing representatives to the provincial legislatures. The villagers and the backward people though illiterate are not devoid of commonsence and though it would be difficult to assert that they would be above influences, they would learn to cast their votes intelligently and independently in course of time. The remedy is more in action than in caution. Group system has its own advantages and lessons. To some it makes a powerful appeal as an educative factor of the simplest kind, requiring very little outlay, and quick in results. It is free from the evils of separatist tendency and brings all classes of people into one mould. The principal motive in supporting the group system of voting is to encourage public spirit among the poor unenfranchised section of the population and the need of freely mixing among them all on the part of the better classes. It is preferable to have such a constituency open to those who are on its rolls. Persons chosen by groups to vote in their behalf should be those who could satisfy both qualifications of property and education as they would be called upon to take much wider and intelligent interest in affairs not only relating to their locality or constituency, but also in affairs of much broader application. Effort should be made to avoid permanent cleavage between rural affairs and urban affairs. Narrowness does not elevate the person but degenerates and keeps one down.

EXTENSION BY GROUP SYSTEM.

10. I would suggest a group of 15 unenfranchised adults of both sexes irrespective of caste, class or creed leaving the duty of framing them to already existing units of organization for civic purposes like the Municipalities and District Local Boards through their subsidiary branches or divisions, it being made obligatory on Government servants or revenue officials in immediate charge of such areas to render the necessary help to these public bodies. Voting in such groups should be arranged by show of hands as is now done in rural areas for the election of Village Panchayats or Sanitary Unions according to the provisions of that Act under

the supervision of the Mamlatdar. The "Statesman" dated the 17th of February, 1932, in its Delhi edition observes with regard to this as follows:—

"What is necessary, therefore, is some system eof indirect election by groups of a kind that would enable every man to feel that he had a share in controlling events. This is a possibility to which the Committe is devoting much of its attention, and its ideas on the subject seem to be growing in definiteness as it moves about. What may emerge from the deliberations, we imagine, will be something of this sort. The adult population will organize themselves into groups based upon the village or the union or some other community. These groups will elect a member each who alone will vote on their behalf when the election comes round. The preliminary activity need be only of the simplest; for any sort of registration that sought to assure membership of a group to every individual in the land would be too cumbrous and expensive to contemplate. All that is wanted at first is *friendly gatherings round the village tree, a form of deliberation in which the Franchise Committee* itself has indulged. But in the new India, whatever it is to be, political institutions will not be established on clean sites. What already exists will have to be used, adapted or removed. There are already electorates, individuals have votes as individuals in virtue of certain qualifications. If indirect election through groups comes to be the fashion of the land, what is to happen to these? They can hardly be disfranchised because something else has been thought of. Some reconciliation of the two should be possible. What seems clear beyond question is that Indian sentiment, while favouring a wider franchise, recognizes the impossibility of adult franchise, and that the group system is a wider and more democratic contrivance than a direct system limited to a small percentage of the population. When "one man, one vote" is out of the question "to every man an interest in one vote" may be found a useful substitute." The result of this system of group voting though indirect would be substantial addition to voting strength so as to secure something more than 10 per cent. of the population which is nearer three times of the present strength, thereby enabling the yet unenfranchised adults to feel though indirectly a kind of organic connection with the Government of the country. A certain section of the politically minded public is distinctly in favour of direct representation and would not be very enthusiastic about the combination of both the direct and indirect methods of representation; but it would be readily conceded that there are obvious advantages in Lord Zetland's proposal of the group system styled as "Mukhi System". It deserves a trial as it would lead on to the goal of adult franchise.

FRANCHISE QUALIFICATIONS.

11. In the absence of adult suffrage it has been found necessary to fix some minimum qualification for the exercise of the vote which has a great value as an instrument of education. The result of the present system of property qualification has been to restrict the franchise. The only way to widen it in order to reach the first landmark of the enfranchisement of the 10 per cent. of the population at the present moment is to lower it to one-fourth of what is to-day; and further in the case of those who are unable to satisfy the property or rental qualification or that of payment of land tax or the chowkidari tax or any other tax, simple educational test of having passed the Vernacular Final Examination in Urban Areas and the Vernacular Fourth Standard Examination in Rural Parts should be added to the qualifications. According to some people the voter ought to have some stake and possessior. of property in the form of an asset yielding some income on which the voter has to maintain himself or herself is a stake and a sound qualification. Such a factor would conduce to the wealth producing capacity of the country. Moreover, we must provide some direct incentive to the growth of knowledge in this country and that is why we could enumerate literary certificate on the part of adults of 21 as a qualification. Such a qualification would encourage the spread

of education and emphasize the importance of the diffusion of knowledge and culture. These must be stressed as they form some of the most vital forces of advancing civilization. It is easily granted that many disparities do at present exist as a result of the present system of franchise, especially with regard to women, labouring, aboriginal, and the untouchable classes, but the best way to remove or to minimize the disparities would be not to put a premium upon illiteracy and poverty but to remove the defects by reservation of seats in joint electorates to make up a certain proportion as a temporary measure. It is very difficult to see the grounds on which military service should be counted as a qualification for voting. If this form of service is to be retained as qualification it would be difficult to reject the claims of other more risky or hazardous services like the " Naval Service " and the " Air Service ". I would either do away with the military service qualification or admit the other services to this previleged position. I would rather not count this as a qualification in these days of Peace Pacts, Disarmaments, and League of Nations.

WOMEN'S SUFFRAGE.

12. Among the most aggrieved parties in the country women have been the worst sufferers socially and politically for centuries past; and the wrongs of the centuries unfortunately could not be righted in a few decades. It is a matter of deep national pride that woman is wide awake to her place in the society and is justly conscious of the importance of her close association in work to promote nation-building activities. Their recent participation in the ever widening public or national social service has earned for them the universal attention, respect and esteem which could surely stand them in good stead. Their ever increasing contribution to the growing national life is most admirable. Educationally their advance is very re-assuring and naturally they have begun to show resentment against the treatment that was meted out to them. They demand those rights to which they feel entitled by virtue of their work and worth. In brief they claim equality of opportunities and also of service surely. The steady progress which they have made in several walks of national life has made a very powerful appeal to the politically minded and educated people in the country. There is observed great eagerness all-round to do them justice by recognizing their status and their service. The spirit of appreciation and the rectification of past mistakes is reflected in the dictum of the Indian Statutory Commission to the effect that " the Women's movement in India holds the key of progress, and the results it may attain are incalculably great ". Woman, therefore, is no longer an object of pity or commiseration. She is a great ally. The advocates of their cause have made a strong case and it should be a matter of pride to share all national work with woman by granting her a large measure of political power for public good by admitting them to the suffrage on such terms as would enable the self-respecting among them to enter the arena of politics and public life by open door. There are some among them that would claim nothing short of adult franchise and would consider any other proposals short of universal suffrage as "undesirable expedients". The adult suffrage on which women pin their faith so stoutly has a great merit of avoiding many intricacies respecting all classes that deserve admission into the domain of enfranchisement. *The Indian Social Reformer of the 27th of February, 1932*, puts its claims very lucidly but succinctly. It says:—

" Adult suffrage is the only means of giving an effective voice to the women of India in public affairs, and their arguments apply with equal force to men also. The administrative difficulties, which do exist, can be got over by adopting some plan of indirect election. Mahatma Gandhi agreed to this in London and informed opinion among Indians has since been steadily flowing in the same direction. The Lothian Committee, we are glad to see, does not rule out this solution. The adoption of adult suffrage simplifies the franchise problem in more than one direction.

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For instance, the difficulty, a serious one, of devising means for bringing up the voting strength of each community to its population strength, disappears. Then, again, there will be no need to improvise voters among women by conferring the franchise on the wives and widows of male voters, with the attendant risk of putting a premium on polygamy. Within the memory of men still living, it was no rare thing for a Kullin Brahmin in Bengal to have a score and more of wives, to be converted into widows in due course, and the adoption of the Simon Commission's quaint suggestion may easily lead to the revival of this nearly obsolete custom. Women all over the country have repudiated the proposal as perpetuating their inferior status as appendages of their husbands, alive, dying, and dead. The representation of the Depressed Classes and Labour will also be provided automatically by adult suffrage. The only special interest which may require consideration is that of Britishers not domiciled in the country."

13. The joint memorandum on the status of Indian women in the proposed new constitution of India which was issued last year by the All-India Women's Conference and three other political bodies of an equally high status sets forth the extreme case from their point of view which is worth quoting. This view is held by women who are highly educated, well-placed in life, and who belong to all classes and creeds. Their claim is very bold and uncompromising. They state their case as follows:—

"UNDESIRABLE EXPEDIENTS."

"We are aware that certain expedients have been suggested, *i.e.*":—

(*a*) Property qualification for franchise on the basis of wifehood if the woman does not hold property in her own right.

(*b*) Literacy qualification for franchise.

(*c*) Nomination for legislatures.

(*d*) Reservation of seats or co-option in legislatures.

"All such expedients are, in our opinion, wholly undesirable for the following reasons:—

1. We look upon any qualifications for the vote based on property as undemocratic, and, as such, wholly against the spirit of the age. At the same time an expedient of this nature is quite contrary to the interests of the humble poor who constitute India's main population.
2. Owing to the almost incredible illiteracy prevalent amongst the women of India any such qualification stands clearly self-condemned.
3. We look upon nominations, reservation of seats, and co-option in any sphere of activity as a pernicious and humiliating system which must run counter to all real progress. However impartially carried out, it must, by its very nature, engender an inferiority complex amongst those for whom it caters—a contingency to be avoided at all costs. It may even tend to create a spirit of communalism amongst women which we, at any rate, are determined shall not be the case. We realise to the full and with immeasurable sorrow to what an extent this canker amongst men has retarded and is retarding the progress of our beloved land."

"We submit, therefore, that adult franchise, immediately applied, without special expedients, constitutes the only way by which the men and women of India can possibly come into their own. We do not think that there will be insurmountable difficulties in achieving these objects forthwith if sufficient efforts are made."

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14. "Even if men are in favour of expedients meanwhile, we wish to make it quite clear that women do not stand by them in this demand. For ourselves, we have made up our minds that even if few or no women are returned for the present to the Legislatures by the open door of competition, we shall not attach any importance thereto—for we are certain that our cause is righteous and that in the end it will prevail."

"PRINCIPLE NOT TO BE IGNORED."

"We urge the Governments of Britain and India not to ignore the principle that we are setting before them and we call upon all our brothers and any individual sisters who may differ from us to follow our lead. There can be no live consciousness of nationhood or true patriotism until we are willing to sacrifice to the uttermost for a principle."

"As representatives of important women's organisations we know that we have a strong body of opinion which lends full support to these views besides that which is voiceless to-day behind prison bars and we hope our declaration will be the means of securing for Indians, men and women, a real voice in the governance of their country."

"AN APPEAL TO WOMEN."

"Finally we wish to broadcast an earnest appeal to women's organizations throughout the world—remote in distance but kindred, no doubt, in spirit—to stand by the women of India in their fight for real emancipation at this important stage in the history of India."

15. The above quoted sentiments of an idealistic character have found echoes "at home and abroad" as will be evident from the following extract from "*The Indian Social Reformer of Bombay*" of the 20th of February, 1932.

"MADRAS DECISION."

"The Women's Indian Association, Sri Sarda Ladies' Association, Triplicane, the Tamil Ladies' Association, George Town, and the Madras Presidency Muslim Ladies' Association, have unanimously arrived at the following decision:—

(1) They do not at all approve of the suggestion that the wives and the widows of men entitled to vote under the property qualification should be enfranchised (2) They do not recommend any literacy qualification for the reason that the number of literate women, especially among the Hindus and the Muslims form a very small percentage of the total population even in this Presidency (in other provinces like Bengal and U. P., it is even much less) and further as literacy is no education. (3) Even a nominal property qualification will not bring many women on the electoral list as the majority of the people are poor, the majority of women do not practise any profession and many women will go without a vote. Hence this method did not commend itself to them.

Therefore, the above associations strongly recommend the system of "adult suffrage" as they feel that the right of citizenship should be enjoyed to an equal degree both by men and women as well as by the poor and the rich and by the literate and the illiterate.

If this is considered impracticable, at present, they are prepared to accept any other equally good and effective method by which every adult over the age of 21 will have a voice either direct or indirect in the government of the country.

EQUAL RIGHTS FOR WOMEN.

16. The Equal Rights Committee, the Actresses' Franchise League, the National Union of Women Teachers, the Open door Council, the Saint Joan's Social and

Political Alliance, the Six Point Group and the Women's Freedom League of Great Britain have submitted the following Memorandum on the Terms of the Franchise as they affect women, to the Chairman and Members of the Franchise Committee of the Indian Round Table Conference:—

MEMORANDUM.

17. Believing in the principle of equality with all its advantages and disadvantages, we whole-heartedly support the demand of the Indian women's organisations that the franchise should be based on equality between men and women. Any apparent privileges or special rights, no matter how seemingly beneficial they may appear on the surface, lead to the ultimate disadvantages of the "privileged" classes and are beneath human dignity.

The new franchise should be based on two principles which are essential to the best interests of women and of India.

These are:—

(1) That the terms of the franchise shall be the same for women as for men, without special exceptions.

(2) That the terms shall be such as to enfranchise as nearly as possible the same number of women as of men voters.

REPRESENTATION OF WOMEN.

We are confident that, if practical equality is secured for women in the matter of franchise, they will be able to find their way into the legislative and administrative institutions of the country through the open door of ordinary election. No special expedients for securing the presence of women on these bodies such as reservation, nomination or co-option are really to the advantage of women. Such differential treatment would read adversely on the whole status of women and on the responsibility of the individual women concerned.

We urge that there be added to the Central Franchise Committee women representing the Indian women's organisations which are asking for political equality between men and women, and we further urge that all the Provincial Committees to be set up to co-operate with the Central Franchise Committee should also include Indian women holding such views.

The creation of a new constitution at a stage when world-wide opinion is recognising the right of women to political equality with men provides an opportunity for establishing this principle from the outset. We trust, that, in determining the basis of the franchise, the Committee will, therefore, give effect to the full and equal citizenship of Indian women both in theory and in practice.

18. Women's claims have been also stated with great force in a very weighty memorandum submitted jointly to the Round Table Conference Franchise Sub-Committee No. VI and the Minorities Sub-Committee No. III, by Mrs. Subbarayan and Begum Shah Nawaz on the political status of women under the new Indian Constitution. In their firm and clever advocacy of the cause and claims of their sex they do not plainly pin their faith on adult suffrage and state that in actual practice the property qualification for women results in a very great discrepancy between them in voting power, as the number of women holding property is small. While the Bengal Chamber of Commerce did not favour specifically women suffrage, franchise in their opinion should not be granted to women other than those who are entitled in their own rights by possessing the necessary qualifications, purdah custom being an absolute bar to any considerable extension of suffrage. Method of co-option in their case has neither appealed to them nor to many among the supporters of their cause. It is generally recognized that the present representation of women is very inadequate and that to make a substantial addition to the ranks

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of women voters would be the first reform. The idea of separate electorates for them in common with those for other special interests is ruled out of court; the Simon Commission's suggestion that the wives and widows should be enfranchised on the rights of their husbands in respect of property and electoral franchise has not many supporters even among women. In our opinion there are obvious grounds on which this novel suggestion has to be rejected. It deprives women of initiative for education and betterment of their economic and social condition. It further tends to make them a kind of an appendage of their male relations. Hindu law as relating to the status and position of a married woman in a joint family or that of a widow in divided family with a male issue living has not supported such a plan; unless, therefore, a great reform is effected in their status independent of their husbands' position, living or dead, no substantial improvement in numbers is possible. Moreover, it has been pointed out by a few critics of this strange view that the adoption of this scheme would tend to put a premium on polygamy which was at one time prevalent in Bengal in the form of "*Kulinism*" among high class Kullin Brahmins, but which is dying out now and also among some Mahomedans in the belief that Islam allowed them to marry *up to four wives*. There now remains the only feasible method of giving women the same rights as men on the basis of property or educational qualification as soon as they attain the age of 21 like men, these qualifications for the first two decades being lowered in urban areas to half of those for men and in rural parts to one-fourth of those that are in force for men.

In this way the great disparity among their numbers to which they would be entitled on the basis of the strength of adult women's population should be made up by the votes of educated women who are members of well organized institutions that have been working for the gradual emancipation of women and the improvement of their economic status in urban areas as well as in rural parts. This device would enable the women themselves to secure an intelligent electorate of their own to make up the deficiency. In rural parts this disparity could be made up by adopting the group system—of both men and women. Even separate groups here would vitiate the basic idea.

REPRESENTATION OF THE DEPRESSED CLASSES.

19. Satisfactory solution of the problem of representation of the so-called depressed or untouchable classes lies in common with other similar problems in the direction of adopting the adult franchise. Some kind of measure, however, would be necessary other than the one mentioned above till the ideal of universal adult suffrage is reached. These are Hindus first and foremost and naturally the vast bulk of them are averse to change of faith or more appropriately it could be said that they are more loyal and devoted to their creed not being sufficiently educated in modern sciences and not having been brought under the influence of free thought. The Hindu society as a class has treated this community with scant consideration and its treatment has unwittingly resulted in their ignorance, degradation, poverty and extreme backwardness. Even among these vast masses there are several grades—touchability but no water accessibility in the north of India and the unapproachability in southern India generally. Superstition has made havoc among them and they are victims of age-long tyranny and prejudices due to sincere religious beliefs.

20. Education and social reform have begun to influence their life and conduct, as a result of unselfish labours of those who did not necessarily belong to them by any tie of blood relationship, but felt knit together by ties of love of common motherland and spiritual oneness. They have now become vocal both as a result of enlightenment and social tyranny under which they are smarting. Some among them like a certain section among women are whole-hoggers. They demand adult franchise and separate electorates which in the opinion of some of their leaders,

it is reported, could be removed automatically from the Statute in the course of a few years; but this device of separate electorates has not answered the larger purposes and does not find favour with people concerned in a province like Madras where they are more vocal and where an increasing section is advancing educationally, socially, and even economically with the help of Government's Department of Labour. It is true so far as numbers are concerned, these classes received very scanty representation in the Legislatures and that is what is intended to be secured. With regard to their policy of representation they too are divided among themselves on this great problem. Rao Bahadur M. C. Rajah, M.L.A., has now declared himself a strong upholder of a constructive view of securing an adequate representation by reservation of seats with joint electorates and would like also to be free to stand for open competition in the general constituencies. He sees that salutory and enlightened forces are at work to remove their disabilities and the remedy for it, in his opinion, is not the cutting off of the limb from the Hindu body politic which has slowly begun to realize that great mischief was done to them and that liberal treatment alone would mend matters. I would rather grant the depressed classes even a slightly higher proportion of representation than the proportion of their adult population would justify by lowering the franchise and bringing down the rental, property, tax, and educational qualification than set up separate electorates instead, as weightage for the Hindus' past sins. The experience of separate electorates has not been such in regard to other interests and minorities as to warrant safely their extension without prejudicing the ultimate national interests. I have alluded to a section of political leaders among them who would take an uncompromising attitude. Without being pedantic or doctrinaire I would welcome the stand, very boldly and wisely taken by Rao Bahadur M. C. Rajah, M.L.A., from Madras, judging from the ultimate goal. In the form of a dialogue which is reported in papers (the "Hitavada" of Nagpur, dated the 14th of February, 1932, publishes it in full) Mr. Rajah has sought to elucidate for the benefit of his people by means of questions and answers his view with regard to the most contentious issue. He advocates that the acceptance of joint electorates with the reservation of seats is the best way calculated to promote the interests of the depressed classes of whom he is one of the most enlightened leaders and spokesmen in the legislatures of the country on behalf of these depressed, suppressed or untouchable classes in Madras where their condition is as bad as it could be and as compared with the rest of India they may safely be said to be in the worst plight.

21. Considering the great importance of this matter we give below the whole dialogue which brings out his point very clearly—

1. "Why do the Depressed Classes want separate electorates?—Because separate electorates would be the safest method of securing the return of representatives who enjoy the confidence of the community.

2. Do the Depressed Classes want separate electorates for ever?—No, the Depressed Classes want separate electorate as a temporary measure only, and ultimately, after a certain period they agree to have their seats reserved in joint electorates.

3. Why should the Depressed Classes now reject joint electorates with reservation of seats?—In the joint electorates, the proportion of the Depressed Class voters would be small; the Depressed Classes fear that the representatives who would fill the reserved seats would be nominees of the majority of electors (caste Hindus); a Depressed Class member elected on the strength of the caste Hindu voters would not be beholden to this community. So they now reject even reservation of seats in joint electorates, as they fear that the Depressed Classes voters in joint electorates would be few, when compared with the caste Hindu voters in the electorate, and that the caste Hindu influence would be greater in the joint electorates.

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4. Will not the caste Hindu influence be equally great in the separate electorates ?—No doubt, it would be there also, but will it not be less there than in joint electorates ?—

5. As long as Depressed Classes are ryots and servants under caste Hindu landholders and as long as they are subservient to them and as long as they are economically poor, can you expect these poor citizens to be free of the caste Hindu influence ? And do you think that these caste Hindus would not exercise their potent influence in the separate electorates and run in their own dummy candidates for these seats in separate electorates ?—True, true, we cannot help it.

JOINT ELECTORATES.

6. Very well, if the proportion of the Depressed Class voters in joint electorates is appreciably increased, then would the community still reject reservation of seats in joint electorates ?—No, when their fear is removed by appreciably increasing the Depressed Classes voters in the joint electorates, then they would willingly accept joint electorates with reservation of seats immediately, instead of waiting for a certain period.

7. Do the Depressed Classes have representation on the Panchayats, Taluk Boards, District Boards and Municipal Councils ?—Yes, they have.

8. Is it by nomination or by election ?—In some provinces it is by means of nomination and in others by election. Till now the representatives of the Depressed Classes in the Madras Presidency were nominated to the Panchayats, Taluk Boards, District Boards, and Municipal Councils, but that system had now been abolished. Hereafter their seats on these local bodies have been reserved in joint electorates. Their candidates now seek election in joint electorates with reservation of seats for those local bodies.

9. Since the Depressed Classes have already agreed to reserved seats in joint electorates in Madras Presidency for Panchayats, Taluk Boards, District Boards, and Municipal Councils, will it not be extending the principle of the same system of election, if joint electorates with reservation of seats are adopted for the Legislatures also in that Province as well as in other Provinces ?—Yes, it would be very helpful to the candidates also. But all that the Depressed Classes want is, that their voting ratio should be increased.

RESERVATION OF SEATS.

10. If as the Indian Statutory Commission had said in their report to devise such qualifications, as would secure, as far as possible, the same proportion of voters to population in different communities, the electorates are enlarged then would the Depressed Classes have any objection to the system of reservation of seats in joint electorates ?—If the Depressed Classes voters are increased according to the suggestion of the Indian Statutory Commission, then the Depressed Classes will have absolutely no objection to accept reservation of seats in joint electorates.

11. Do the Depressed Classes realise that if separate electorates are adopted, the area or the constituency for a single seat would be much larger and unwieldy, say two to four districts for a single seat ?—Yes, they do realise. The constituency for a single seat would, in any case, be not less than two districts and would be very unwieldy. The candidates will have to tour through this vast area, visit the cheries, mohallas, tolies, or bastis in these districts for canvassing votes ; appoint innumerable canvassers and agents in these districts. Not only this, the polling booths will be innumerable, scattered in these districts. It would entail a large amount of labour, time and money. This will, no doubt, be too much for a poor community like the Depressed Classes.

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12. On the other hand do the Depressed Classes realise that joint electorates with reserved seats would be very convenient for them ?—Yes, certainly it would be very convenient. The area in this case would be very much less than a district for a single seat and the reservation would be in the taluks where the Depressed Classes live in great numbers. Thus, the area or the constituency would be considerably small, say, two or three taluks, instead of districts. The polling booths would be very limited and would be within easy reach. A few agents would do; much labour and time and money would be saved.

On the whole, after considering the various aspects you have placed before me, and that very clearly, I have no other alternative but to say that reservation of seats in joint electorates would be the best system for the Depressed Classes to return their representatives to the Legislatures."

22. Mr. Rajah has defined the aims and needs of the Depressed Classes in a book which he wrote in 1925 called "*The Depressed Hindus.*" There he says :—

What do we need ? We need at the hands of our co-religionists—the caste Hindus—a recognition of the fact that we are men equally with themselves. We are not to be segregated. We are not to be treated like lepers. This was what I said in the concluding chapter of my book "Depressed Hindus" in 1925. Since then what is happening ?—We see everywhere throughout the country and in Bombay in particular, that the Depressed Classes have started movements called "Temple Satyagraha movements".

This shows clearly the process of Mr. Rajah's change in the angle of vision when it is remembered that he had himself protested very strongly against reservation of seats with joint electorates when he was a member of the Indian Central Committee on the ground that there was not to be found "enough broadmindedness in the majority community".

Mr. Rajah who has been the representative of the Depressed Classes for the past twelve years now, sees a gradual happy change in the mentality of what he calls the "majority community"; and the majority community would thank him for his frank and enthusiastic admission of this changed outlook on national political life on the part of the Hindus. This is a virtue of an honest convert and I happily understand that his views have been endorsed by the Working Committee of the All-India Depressed Classes Association. This has enabled him to enter into a pact with Dr. Moonje, the present accredited leader of a large section of the majority community through the Hindu Mahasabha.

23. We should all be delighted if our esteemd friend and another leader of this great community especially from Bombay, *Dr. Ambedkar*, would credit the Hindu society with the same measure of sincerity and candidness as evidenced by the rapid change that is coming over the vast majority of educated and thinking Hindus. Knowing as he does the tremendous difficulties from his own experience of the community he represents, in the way of social reform or revolution, the process of which is far too slow and more tedious and arduous, as would be the verdict of history in this matter, than that of political revolutions which are more quickly brought about, we would expect him to be somewhat forbearing and accept this compromise now effected by his other colleague for very sound reasons especially because the sympathy of the majority community would be very necessary to carry out into practice any great political changes that would be enacted in the new constitution for India. We believe that it should not be difficult for Dr. Ambedkar to see the evils of "separate electorates" which when granted to our Mahomedan brethren by the so-called Lucknow Pact about fifteen years ago, led him to write very trenchant criticism of them at great length.

24. Moreover, even with regard to the Depressed Classes he has very emphatically declared himself against their representation by separate electorates. His view has all along been "that territorial electorates and separate electorates are the

two extremes which must be avoided in any scheme of representation that may be devised for the introduction of a democratic form of government in this most undemocratic country". He further adds that "The golden mean is the system of joint electorates with reserved seats". Less than that will be insufficient and more than that will defeat the ends of good government.

25. We only want our friend Dr. Ambedkar to stick to his own opinions so lucidly and forcefully expressed by him in the abovementioned Report he had submitted to the Statutory Commission and in which he has made valuable suggestions for the recasting of the electoral system while presenting a case of his own class. In conclusion, he has stated that though he was for securing the special representation of certain classes, he was against their representation by separate electorates. This view we urge should settle the question once for all and we should no more hear of separate electorates for our Depressed Classes brethren in Indian polity.

(*a*) OTHER NEGLECTED PEOPLE:—THE ABORIGINES. (*b*) THE CRIMINAL TRIBES.

26. There are numerous groups of very backward people though not untouchables—because they are "Jalchal" *i.e.*, at whose hands water could be taken—who also need our careful and sympathetic treatment. They are the aborigines and some of the criminal tribes. Their case has to be systematically studied. Both Government and private charitable agencies some of which are indigenous ones are devoting zealously their time and energy and money for their uplift; public consciousness is roused with regard to the Bhils at any rate; there are besides, Ramoshis, Harinshikaries, and similar classes all over the country for whom Government are working out some plans themselves or through private charitable agencies. These classes should also be given for their adults, one or two seats in the country's legislatures by way of nomination if not by reservation. This would reflect their needs and wants faithfully in their case in the Legislatures of India. Though this has not been prominently noticed by responsible authorities, we would not like to neglect them in this survey of their claims as citizens.

LABOUR AND ITS REPRESENTATION.

27. Luckily this great group of industrial workers has found very enthusiastic advocates among the ranks of liberal politicians and their cause would no longer suffer for want of able pleading on their behalf. It was urged, especially in view of the difficulties in their way in regard to property, education, and organization, that adult franchise should be granted as a solvent of all their shortcomings. But if that is not to be, the next best course for us to advocate is to grant them reservation of seats in joint electorates on the basis of lower rental qualification. As described by Government of India in their despatch on proposals for constitutional reforms, "the bulk of industrial labour is ignorant and uneducated". It is broadly speaking true of many centres in India and their great need is organization which alone would enable them to secure their objects as a result of community of interests. They are an ever-increasing class; and in proportion to their growing strength organizations are being set up which would soon come under the influence of registered Trade Unions. My view is that with the help of important and well regulated registered Trade Unions adequate representation should be given to these classes who would thus come into the body politic along with the spread of education among them, improvement of their economic condition by methods of co-operation, and in the case of a certain section by gradual elimination of evils of drink. No question of caste or community should enter into the consideration of their just claims.

THE SPECIAL INTERESTS.

28. The group of special interests consists of (*a*) Universities, (*b*) the Landholding classes like the Jahagirdars, Inamdars and the Vatandars, (*c*) the represen-

tatives of trade and commerce, (*d*) Mining and planting industrialists, (*e*) Anglo-Indians, (*f*) Europeans, (*g*) Indian-Christians, etc., etc. These are well established and well organized bodies or interests. Like other interests these are rendering valuable services to the community for which adequate representation could easily be secured by them on the strength of the various qualifications to which they are naturally entitled and which they could so easily command. To recognize their interests as distinct from those of the rest of the community amounts to setting up separate electorates for them which is against the general principles that have been guiding us in our deliberations. There is a large body of opinion against any such recognition; but it could not, however, be gainsaid that some of these vested interests have a proud history behind them and ordinarily it would be very difficult ani impolitic to ignore them. If has been, therefore, suggested by one of the leading Liberal leaders in this Province that should that view gain strength a small second chamber could be created with a limited number of the representatives of these special interests whose voice ought to count in proportion to the burdens they bear in the economic and cultural advance of the country; but this presentation of their case has found many able advocates among their own ranks as also among those of the politicians in the country. Our Liberal friend's support to the alternative plan of a small second Chamber is, however, conditional; and according to him in that case they should not claim any separate representation so far as Provincial legislature is concerned. Liberal opinion, however, is tending more towards unicameral form of provincial legislature on the ground that the creation of a second Chamber whittles down the powers that would be conferred in the new constitution on the Provincial legislature which must be as democratic as possible both in form and spirit.

29. We would, however, give these important classes adequate representation by separate electorate for a limited period.

I do not know how far and to what lengths this classification would carry us. I may even in passing mention here by way of an illustration that the liquor contractors of Nagpur, Chindwara and Hoshangabad in C. P. are reported to have sent a memorial to the Franchise Committee requesting them to allot them two seats to protect their interests inasmuch as the income from the excise revenue is the second most important item on the receipts side. That is only by the way.

FEDERAL LEGISLATURES.

30. There seems to be general dissatisfaction with regard to the number of seats to be contested for the Lower Chamber and the Upper Chamber of the Federal Legislature in India with its large number of territorial divisions or districts numbering over 250, because the proportion of representation that is alloted by the Federal Structure Committee falls short of the adequate requirments though it is generally recognized that such an election is attended with a number of difficulties. These are the two most important centres of legislation and a larger representation would naturally be claimed by other interests as well. There is a strong desire that the number of seats in the Lower Chamber should be increased by not less than 25 per cent. on the present basis. As regards the method of electing the representatives of the British Indian Provinces to the Upper Chamber it should not be by the Provincial Legislatures but should be in the present form and that the franchise for the Lower House should also be extended by lowering it down, the method of election there too being direct.

I would naturally favour direct election to the Lower Chamber of the Federal Legislature on territorial basis. The difficulties would gradually vanish with the advancing tide of administrative experience in urban areas. For reasons mentioned in this memorandum under the caption "*extension by group system*" indirect election should be attempted through the representatives of the rural parts with

the help of the well constituted local bodies, the grounds for such a recommendation being more or less the same as mentioned already for obvious advantages.

The present constitution has omitted representation in these legislatures to women, labour, and Depressed Classes. This defect should be remedied in the new constitution by giving them adequate representation by direct election as at present reserving seats for these classes in proportion to their voting strength in the Provincial legislatures.

31. In conclusion, I have tried to set forth generally the views held by a large majority in our party and I would wish to stress the important fact that these have found favour with most of the Commissions and Committees that were appointed to survey the whole field of franchise from the true national point of view. The Nehru Report, the Southborough Committee, the Simon Commission, the leading political organizations in India started to watch over the national interests of the country, have all thrown the weight of their experience on the side of joint electorates, the special interests being guarded by the reservation of seats. With the very limited time at my disposal and the scanty material that I could command I have tried to give expression to views held by leaders of different sections up-to-date on the most important burning topics relating to the wide question of franchise. The remedy, in my opinion, which is calculated to promote the largest interests of the country is to set up joint electorates and in the words of the majority of the Indian Central Committee as observed by the Government of India in their despatch on proposals for Constitutional reforms, "*wider considerations must override the wishes of particular communities,*" and *recommend* "*that communal electorates should be abolished*".

Mr. G. K. DEVADHAR, C.I.E.

1. *The Chairman:* Mr. Devadhar, are you here in your individual capacity or are you representing the Servants of India Society ?—I am here in my individual capacity.

2. I see that you are in favour of the group system ?—Yes, as an additional measure.

3. You enfranchise part of the population by direct votes and the other part as proposed at the Round Table Conference ?—Yes.

4. You think that the group elections should be conducted informally ? By informally, I mean by show of hands and not by a system of ballotting.—By show of hands. I want that it should be conducted as simply and as cheaply and as quickly as possible.

5. Whom do you think should conduct the elections and at what period of the year ?—Just one year or so before the date fixed for the elections, or a short time before the preparation of the electoral roll. At present that kind of system is in vogue in regard to the elections to Panchayats. I think the same system can be utilised for choosing secondary electors who would then be added on to those persons who would come on the roll by the direct system.

6. In your presidency, elections are held in December and that means that the roll has got to be completed in July ?—About six months before the elections.

7. The informal elections will take place in the preceding spring ?—I am not very particular about the season. It all depends upon the time when elections are to be held for the council. But it would be necessary to prepare the roll about 4 or 5 months before.

8. On what basis would you form the groups ?—Groups may contain 20 persons or, as I said, 15. It is an arbitrary limit.

9. On what principle would you group persons ?—My own idea is that the groups should be formed in order to bring in the arena of franchise as many people as are

likely to take interest in the affairs of government. I would make that group as much as possible easily manageable. There may be 15 in a group.

10. Would the groups be formed geographically ?—Not communally. I am in favour of the group system because it brings us nearer our goal which is adult franchise.

11. Does it mean that the village officers conduct the elections ?—Yes.

12. On the basis of the inmates of houses ?—Adult inmates.

13. With regard to women's suffrage you say that the franchise should be the same for women as for men and that it should be such as would enfranchise the same number of women as men. How will you bring it about ?—It is rather difficult, I recognise. But I have got figures here before me which show that out of nearly 21 millions in this presidency, only about 40,000 are women voters. In order, therefore, to remove that disparity, I propose that they might be given easy franchise in urban areas and easier franchise in rural areas.

14. Again, on the assumption that adult franchise is possible you take property and education as some of the qualifications ?—Yes.

15. You know that women have very little property and very little education ? —Yes.

16. Under such circumstances, what franchise can you suggest for making the number of women voters anything like the number of men voters ?—In my opinion the mere attainment of 21 years will not be enough. I would attach some value to their earning capacity. If a lady is an earning member she would come within the terms of the franchise. That I have described. Again, if she has a little literacy or education qualification, she would also come on to the roll.

17. You will apply the group system to women as well as to men ?—Those who will not come in by the ordinary franchise.

18. Group system is to be on the adult franchise basis. In other words, groups will consist of persons who have no votes now ?—Yes.

19. All the women will, therefore, be included ?—Yes.

20. Will you put women in separate groups ?—I am not for any division either on grounds of sex or of community.

21. Therefore, in your groups, women and men will be on the same basis ?— Yes.

22. You are in favour of a second chamber ?—I am not in favour of a second chamber. But if it is decided that some of the substantial interests in the country who have made great contribution to its progress ought to be given some voice in the affairs of the country, I would be in favour of a small second chamber provided those who seek franchise to that chamber forego their franchise in the joint electorates.

23. *Major Milner :* Your anxiety is to do away with the artificial restrictions on voters and all that sort of thing ?—Yes.

24. And to endeavour to get some fair proportion of representation to all ?— Yes.

25. You are in favour of adult suffrage in the first instance, but if that be not practicable, you want to approximate the franchise as near to it as possible ?— Yes.

26. Have you considered the possibility of giving franchise to all those above a certain age ?—I think I will start with 21.

27. Assuming that it is not possible for administrative reasons to enfranchise 10 million people, have you considered the possibility of enfranchising those above a certain age ?—That is the group system.

28. Not necessarily. I do not know how many could be enfranchised in the presidency if you give the vote to persons above 30 ?—Age will not necessarily be a qualifying factor.

29. Can you not enfranchise those above 30 ?—In my scheme I have proposed that all adults having a certain property qualification or some educational qualification should first come within the group which will be enfranchised.

30. According to your proposal, you will have groups in the rural areas ?—Groups for those who are not enfranchised.

31. Supposing you do away with the direct qualifications altogether and start a new system of enfranchisement. Do you think it would be feasible to enfranchise everybody over and above a certain age, and, year after year, bring that age-limit down to 21 when everyone will have a vote ?—Is it something like a substitute for the group system ?

32. It has nothing to do with the group system at all. For administrative reasons we start with enfranchising people above 40 years and then gradually bring down the age-limit to 21. Would you approve of it ?—Whatever age we start with, I would have some kind of property or educational qualification.

33. You think that the property qualification is quite satisfactory ?—It may be lowered. I am not going to entrust everything to man simply because he has attained 20 or 30. I would like him to have some earning capacity and also some sense of responsibility.

34. You think that possession of property necessarily qualifies a man ?—It indicates a certain capacity for earning money or producing wealth.

35. Your suggestion is that we should have, what is called, the hybrid system ?—I call it joint or combined system.

36. You laid down somewhere that you want it to progressively increase the number of electors. If you have the direct qualification on the one hand and the indirect qualification on the other, those who will be enfranchised in groups will be dissatisfied and continue to be dissatisfied until such time as they are directly qualified ?—I think it would not be a bad thing if they feel so, because it will indicate progress on their part.

37. If that is so, it would not give any great possibility of stability to the franchise and it will continue in that condition for some little time ?—That is true. If they show discontent with the indirect system it would show that they attach some importance to the power of the vote. If they attach importance to the power of the vote, it would act as an incentive to them to acquire that power by acquiring the necessary qualification.

38. Have you appreciated the fact that the suggestion you are making will divide the population really into the 'haves' and the 'have-nots' ?—That division is there already and we are trying to remove it as far as possible.

39. *Mr. Tambe :* Will you have groups if they are not formed on a geographical basis ?—No.

40. *Mr. Butler :* You want that those who get the vote for the second chamber should sacrifice their vote in the general electorate ?—Yes. They should sacrifice the vote in the general electorate because they are securing the same right in a different manner altogether.

41. *Sir Muhammad Yakub :* What method would you suggest to give adequate representation to the minorities ?—I will suggest reservation of seats in joint electorates.

42. *The Hon'ble Mary Pickford :* You say that for women's franchise you would have half the qualifications for men in urban areas, and in rural parts one-fourth of those that are in force for men. Then you say that the disparity should be made

up by the votes of educated women who are members of well-organised institutions that have been working for the emancipation of women and for the improvement of their economic status ?—Yes.

43. Will you explain it ? How can it be worked ?—If a widow happens to be a member of that organisation, I think she will naturally be entitled to be a candidate.

44. Presumably she would already have a vote since you advocate literacy qualification ? These will be educated ladies.—That alternative is suggested by me for the purpose of removing disparities if any. Supposing it is agreed that six ladies should be elected and by a regular process of election about 4 come, the remaining two may be brought in by means of election in which members who are already taking interest in women's emancipation and doing other important work for them being members of a regularly registered body should have the vote.

45. Your suggestion then is for filling some seats in the council ?—Yes, when there are vacancies, my idea is that women should be elected by their own sex.

46. No doubt you are aware that one of the fundamental rules of some of these women's organisations such as the National Council of Women is that they should not take part in politics. How then are they to elect members to the council which presumably will be beyond their sphere of activities ?—I am not sure if this will come under politics. We have got in India one of the biggest organisations for women. I am quite prepared to believe that this will not come under the class of political activities. They are already voting for municipal elections. The rule regarding politics should not come in the way of these elections.

47. Do I understand you to say that elections to the provincial councils is not politics ?—If that is the idea of politics, we must change that idea.

48. You are perhaps aware that a good many women are not in favour of a separate electorate for them ?—I know it and I am not proposing separate electorate for them.

49. You are proposing selection for filling these vacancies ?—It is for the deficiencies.

50. That should be done by women alone ?—Yes.

* * * * *

51. Don't you think it will be difficult to have this system instead of having franchise on the basis of qualifications ?—If adult franchise is not workable, group system with its defects might be tried for the unenfranchised masses.

52. I put it to you that if the ultimate goal is adult franchise don't you think that the group system will be the easiest way to adult franchise ?—It is an additional way. I do not advocate it for the whole population.

53. But then there is the difficulty of disfranchising those who are already enfranchised ?—The number of those who will come under the group system will gradually diminish. As educational qualification and property qualification are lowered considerably, more people will get the direct vote. The group system will thus gradually disappear.

54. You said that you do not want separate rolls for women ?—Yes.

55. You know the condition of women in the villages. Do you think that they are likely to mix with men for electing spokesmen ?—That difficulty can be overcome by having a separate polling booth for them. Even now they are taking part in elections to municipalities.

56. Do you think that in joint groups there is the least possibility of women being chosen as spokesmen ?—Yes, I think it is possible. There are very intelligent women among them also.

57. In what sense ?—In the sense of knowing exactly what they are about, what is franchise, what is Government, and what their responsibilities and duties are.

58. I want to know whether you are confident that in the joint groups women will be elected as spokesmen ?—Yes. I am quite confident.

59. I take it, you are a believer in widow remarriage ?—Yes.

60. So you would like widows to be enfranchised ?—Yes, just as much as married women are enfranchised.

61. To the exclusion of any other qualification ?—Widowhood merely should not be a qualification. If it is necessary for women to possess other qualifications, widows also should possess those qualifications.

62. Would you like to have widowhood alone as a qualification ?—No.

63. You do not like it ?—I would not make it a qualification.

64. *Sardar Mutalik :* You are in favour of the group system because it will educate the electorate ?—The very fact that several people are asked to come together will necessitate an enquiry and an answer as to what an election is, how they are going to elect their Mukhi and what that Mukhi is going to do on their behalf.

65. Unless you place some particular principle before the electorate, how can you educate them regarding their political needs ?—They know their needs and those who will supply those needs.

66. Then they will select particular persons and not vote for the principles ?—That is what generally happens.

67. *Mr. Haji :* Are you in favour of permitting the minorities to have representatives of their own choice ?—If the election of that representative is through a separate electorate, I am not.

* * * * *

68. In a joint electorate where one community has an overwhelming majority, is it possible for a minority community to have a representative of its own choice ? —Quite possible.

Memorandum submitted by the MARATHA EDUCATIONAL CONFERENCE, Bombay.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) The franchise in the rural area should be brought down to Rs. 8 assessment or rental value except in those districts where the present franchise is based on Rs. 16. In the latter districts we propose that the franchise in the rural area should be brought down to Rs. 4 as the assessment or rental value. The preparation of the electoral roll in those districts where the franchise is proposed to be brought down to Rs. 8 would be facilitated by the adoption of the present electoral roll for the Taluka Local Boards in those districts, the present franchise for Taluka Local Boards being Rs. 8. As regards the franchise in the Municipal towns and cities excepting the city of Bombay, the franchise which is at present Rs. 36 as rental or municipal taxes should be brought down to Rs. 18.

(*b*) Yes.

(*c*) Yes.

(*e*) The arrangement for the lowering of the franchise in reply to (*a*), would sufficiently enlarge the electoral roll in the rural area and it is practicable and desirable to do so.

Memorandum by the MARATHA EDUCATIONAL CONFERENCE. [*Continued.*

(*f*) The arrangement of forming primary groups of 20 persons each from amongst the persons who are not entitled to vote in the rural area is feasible and advantageous, but the system should not be made applicable to Municipal towns and cities. Moreover there should be no separate constituencies for group electors; but they should vote in the general constituencies.

(*g*) (*i*) We do not agree to this proposal.

(*ii*) No. The system of group electors should be in addition to the present system of franchise based on property qualification; but the former can by no means be a suitable substitute for the latter altogether.

(*iii*) 20 persons. The bases of the formation of these groups would be the adult persons, males and females, residing in houses in villages which should be consecutively numbered. The village officers namely the Patil and Talathi should be charged with the duty of the formation of these groups; and the Mamlatdar should be charged with the duty of supervising the work.

(*iv*) There should be no special qualifications for the group voters.

2. FRANCHISE QUALIFICATIONS.

(*a*) Yes, there is such a disparity. The disparity is that the voters in municipal towns and cities are quite out of proportion in number at present as compared to voters in rural area looking to the size, importance, from the national point of view of the rural area. Moreover the voters in the municipal towns and cities being situated in small compact areas can easily attend the polling booth in fairly large numbers. Experience has shown it that in municipal areas more than 80 per cent. of the voters come to the polling booth. As against this if we compare the position of the voters in the rural areas, they are scattered far and wide and live in quite out-of-the-way places and in many cases in hills and dales. Many of them have to travel more than 10 to 15 miles to come to the polling booth to register their votes, and the elections in India are held at such an odd time that the agricultural voters find it very difficult to attend the polling booth leaving the work of the agricultural season. This is the reason why hardly 30 per cent. of the agriculturist voters come to register their votes at their respective polling booth. Thus it will be seen that voters in Municipal towns and cities are in far too advantageous a position than the voters in the rural area. This disparity must be removed and there is only one way in our opinion to do that. The franchise in the rural area and that in municipal towns and cities should be so lowered and fixed as to keep the limit of the franchise in the rural area approximately one-half of what would be fixed in urban area. This could be seen from our proposal contained in our reply to 1 (*a*).

(*b*) Yes, for the Marathas joint electorates with reservation property and non-property qualification of voters, the desired object of giving a voting strength proportionate to their population would in our humble opinion be achieved.

(*c*) Yes. Details under 1 (*a*).

(*d*) No.

(*e*) Yes.

3. WOMEN'S SUFFRAGE.

(*a*) The wives and widows of the voters should not be enfranchised unless they have got a property qualification or they come in as adults in group voters. Only the group voters' system should be applicable to women and in this connection we propose that there should be one woman voter out of a group of 11 women.

(*b*) Separate groups should be formed for women as apart from males.

(*c*) If women contesting joint general election along with men, fail to get themselves elected altogether and if no woman is elected or less than 3 women are elected to the Provincial Legislature, then 3 or as many as less than 3 are elected, should be co-opted by persons elected to the Provincial Council by single transferable vote.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The Franchise Committee should be guided in this matter by the opinion expressed by the accredited representatives of the Depressed Classes.

5. REPRESENTATION OF LABOUR.

A separate electorate should be formed for labour.

5 (*a*). REPRESENTATION ON SPECIAL INTERESTS.

The only special interests which should be given separate electorates should in our opinion be the University and the European and Indian Chambers of Commerce.

II.—THE FEDERAL LEGISLATURE.

We strongly urge that looking to the condition and circumstances which obtain in the Bombay Presidency and its Commercial, Social, Political, and Economic status as compared with the provinces of Bengal, Madras and United provinces, Bombay cannot be and should not be allowed to have a single seat less than the other three provinces mentioned above. To allocate to Bombay seats equal to those allowed to Bihar and Orissa would be to class Bombay as a second-rate province in India when there is every reason to class it as the foremost province in India. We regret to say that the Federal Structure Committee seems to have been guided mainly by the consideration of the population of the Bombay Presidency when it allocated as many as 6 seats less to the Bombay Presidency than those allowed to other three provinces mentioned above. The Bombay people would not be satisfied with anything less than the allocation of equal number of seats with the three other provinces, whatever change in the ultimate number of seats in the Federal Assembly would have to be made by this arrangement.

(*a*) We entirely agree and strongly corroborate the views of the Federal Structure Committee when they suggest that the election to the Upper Chamber of the Federal Legislature should be from the Provincial Legislatures.

(*b*) In view of our opinion expressed in reply to (*a*), reply to (*b*) would be unnecessary.

(*c*) 50 per cent. seats should be reserved for indirect election to the Lower Chamber of Federal Legislature through Provincial Councils and 50 per cent. should be allocated for direct election. Single member constituency should be formed for the direct election to the Lower Chamber of the Federal Legislature, and the franchise qualifications should be brought down to the present qualifications of voters to Provincial Legislatures.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

Certain seats should be reserved for Labour, Women and Depressed Classes by indirect election through the Provincial Legislatures.

Mr. B. V. JADHAV, M.L.A.
Rao Sahib R. V. VANDEKAR, M.L.C.

Representing the Maratha Educational Conference.*

1. *The Chairman:* Are you speaking on behalf of the Maratha Educational Conference?—(*Mr. Jadhav*): I have not been authorised by that body.

* Mr. N. E. Navale, B.A., LL.B., M.L.C., submitted a separate note, which is printed as appendix on page 439.

2. Now the point on which I would like to get some evidence from you is about the special representation of Mahrattas. A proposal has been put forward by the Provincial Committee, that there should be some reservation of seats for the Mahrattas. I think the number suggested is 7. Is it so ?—7 is the number in a House of 114 members.

3. And if the number of the House is raised to 200, what should be the number ?—A rise in the same proportion.

4. Can you tell us the reason why the Mahrattas require reservation of seats ?—One reason is that they are educationally backward, and their condition is such that if they are not protected by any such reservation they will not be able to secure as many seats as they are entitled to.

5. What is their proportion to the population ?—Their proportion is about 60 per cent.

6. Is that in the Deccan ?—Yes.

7. What is the percentage of the depressed classes there ?—I think the depressed classes would be about 10 per cent.

8. Against whom do they require special protection if they are 60 per cent.?—There is not any particular community. But if any community is to be named, they want protection against the advanced classes. These reserved seats are reserved for them in the general electorate where persons of all castes and creeds except the Muslims are voters.

9. Now by what method do you propose to have reserved seats if you get multi-membered constituencies ?—There are multi-membered constituencies in certain districts but in three districts there are single-membered constituencies, and there the reserved seat is given in turns.

10. In every alternate election a Mahratta must be elected ?—In every third election.

11. And in the other two anybody can be elected ?—Yes. We have invariably found that except in the year in which the seat was reserved for the Mahrattas, a Mahratta could not get in. But I may add, Sir, that if all the constituencies are made single-membered constituencies, then my people would not require any protection at all.

* * * * *

12. *Diwan Bahadur Ramaswami Mudaliyar :* In 1919 you went to England and fought for this reservation of seats on behalf of the Mahrattas ?—Yes.

13. And if the system of multi-membered constituencies is to be continued, then you feel you will be at a disadvantage as the advanced classes will combine against you and defeat you. That is your fear ?—Yes.

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14. *Mr. Tambe :* What will be the voting strength of the Mahrattas on the proposed franchise ?—It will increase in proportion to the present strength.

15. How many Mahrattas will be on the electorate ?—What percentage of the electorate will be Mahrattas ?—I think nearly 30 to 40 per cent.

16. *Sardar Mutalik :* With the experience gained in the last three or four elections, don't you think the Mahrattas got in in every poll ?—No. In the City of Bombay they had the painful necessity of taking advantage of the reservation. In some districts the apparent success of the Mahrattas was not due to their innate strength but to extraneous causes such as non-cooperation. In the first and last elections the Congress did not contest the seats and therefore the Mahrattas got in. That does not show that their inherent strength has increased.

9th March, 1932.] Mr. B. V. JADHAV & Rao Sahib R. V. VANDEKAR. [*Continued.*

17. Do you agree that the voting strength of the Mahrattas is about 60 to 70 per cent.?—No. It is not. It is between 30 and 40 per cent.

18. In the Satara district, is it not a fact that in spite of the Congress candidates standing, you succeeded ?—In the election of 1926 I may have had the honour of topping the list, but the other two candidates were Brahmans. I was the only Mahratta candidate.

19. You topped the list in spite of the fact that Congressmen were candidates. Mr. Soman was one of the candidates ?—When Mr. Soman was the candidate, he topped the list and I came second.

20. And the third ?—He was Khan Bahadur Cooper.

21. He came because he was recognised to be the leader of the Mahrattas ? No. He does not belong to the Mahratta group. He is a Parsee.

22. But he was the leader of the Mahratta community ?—No.

23. *Rao Bahadur Asavale :* You have stated that if single-membered constituencies are given to the Mahrattas then there is no necessity for reservation. Even if a single-membered constituency is given in Bombay City, would a Mahratta be elected ?—The conditions of Bombay are quite different.

24. So whatever franchise is given to the Mahrattas in the City of Bombay reservation is necessary ?—If multi-membered constituencies are to be adopted there. But when Bombay is divided into single-membered constituencies, I think the Mahrattas ought to stand on their own legs.

25. *Mr. Munawar :* What sort of constituency would you propose for the representation of labour ?—The registered trade unions. I cannot propose any other.

26. *Mr. Covernton :* I would like to ask Rao Sahib Vendekar whether he associates himself with Mr. Jadhav's opinion that if they are given single-membered constituencies, there would be no need for reservation ?—(*Rao Sahib Vandekar*). In certain places where the voting strength of the Mahrattas is larger, there is a possibility of success of the trial of giving single-membered constituencies. Not elsewhere.

APPENDIX.

Note by Mr. N. E. Navale, B.A., LL.B., Deputy President, Bombay Legislative Council, on Mr. B. V. Jadhav's and Rao Sahib R. V. Vandekar's evidence before the Indian Franchise Committee.

Mr. Jadhav said that the seats reserved for the Marathas are at present 7 out of 114 which is the present strength of the Council and if the seats are increased to 200, then the reservation for the Marathas and allied communities should be increased in the same proportion. I think the statement is rather incorrect. The fact is that 7 seats are reserved for the Marathas out of 86 seats which are open for election, the rest being reserved for nomination. So the proportion to be observed for the reservation of the seats for the Marathas in a fully elected Provincial Council, should be 8·3 per cent. of the total seats to be provided for. So if the number be 200, then the reservation should be 17 seats. Now this proportion is arrived at, if Sind is not to be separated. But if Sind is to be separated, then the proportion will and must change because out of the total seats now open for election there are only 67 seats for the Presidency, excluding Sind (as there are 19 seats for Sind). On this basis the proportion would be 7 out of 67, *i.e.*, 10·4 per cent. So if the total strength of the reformed Council be 200, then the reservation must be not less than 21 seats. It must be borne in mind that the 7 seats are for the Central Division and some other places akin to Central Division. This has nothing to do with the Karnatic

Marathas and the allied communities. At least 4 seats must be reserved for Marathas in the 4 districts of the Karnatic, *viz.*, 1 Belgaum, 2 Bijapur, 3 Karwar and 4 Dharwar. Thus for the Central Division and allied areas and the Southern Division there ought to be a reservation of not less than 25 seats in the reformed council.

I am also opposed to Mr. Jadhav's advocacy of single-member constituencies coupled with no reservation for Marathas. I am sure I am voicing the sentiment of Central Division and the Karnatic that as we have in Bombay gone on the lines of plural-member constituencies, it is not advisible to change that system. If single-member constituencies come into being influential and advanced class people will buy up the support of a handful of influential men in those small areas and the poverty-stricken and debt-ridden people like the Marathas of the Deccan (look at Government of Bombay's Deccan Agriculturist Relief Act) will be driven to the wall. It will be very difficult for the Marathas to get in. Rich men cannot bribe voters at present simply because the area is too large for such purpose, and the people too many. Reservation is absolutely necessary for Marathas for a decade or two. There can be no scheme of reservation under single-member constituencies; and without reservation Marathas cannot get in in Central Division, much less in Karnatic. In the Karnatic, there are, as usual, plural-member constituencies and still no Maratha was elected during the last 10 years of the reformed council except the solitary case of Mr. Dalvi, who was returned because of the non-cooperation movement, though their population is vast as is given in their memorandum. How can a single Maratha hope to be elected then from the Karnatic under the scheme of single-member constituencies, as the population of the Marathas and the allied communities in the Karnatic is scattered in each of the 4 districts? For the Karnatic Marathas, therefore, plural-member constituencies with 4 reserved seats is the only solution. So looking to all these difficulties, a vast community like the Marathas and the allied cannot get proper and adequate protection under any other scheme, except the present system of plural-member constituencies and the adequate reservation of seats.

Memorandum submitted by the BOMBAY PRESIDENCY WOMEN'S COUNCIL, Bombay.

3. WOMEN'S SUFFRAGE.

(*a*) The Council is in favour of continuing the existing qualifications which are based on property and the payment of taxes, for admitting women to the suffrage.

The Council is not in favour of the Statutory Commission's proposal, to enfranchise the wives and widows of men entitled to vote under the property qualification, but the Council agrees to the said Commission's proposal, that an educational qualification should apply to women over 21, which the Council suggests should be a literacy test, *i.e.*, ability to read and write in their own vernacular.

The Council unanimously approves of the suggestion of the Franchise Sub-Committee of the Round Table Conference that the age-limit for women be 21.

The Council is in favour of increasing the women's electorate by the two latter methods, but a greater increase would be possible if the "educational qualification" be reduced to mean "literacy test," *i.e.*, ability to read and write in their own vernacular.

The extent to which the Council would favour the increase in the women's electorate is not defined, since the larger the proportion of the women's electorate to that of men's, the better it would be.

(*b*) The Council is not in favour of any system of group representation being established.

Memorandum by the BOMBAY PRESIDENCY WOMEN'S COUNCIL, Bombay. [*Concluded.*

(*c*) The Council is not in favour of suggestion of co-option, or reservation of seats, for women members in the legislatures.

RESOLUTION.—The Bombay Presidency Women's Council recommends that women of 21, having passed a literacy test (*i.e.*, ability to read and write in their own vernacular) should be admitted to the suffrage in addition to those who are already qualified through the holding of property and the payment of taxes.

BOMBAY.

Dated 10th March, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE BOMBAY PROVINCIAL FRANCHISE COMMITTEE.

Mrs. J. R. DOCTOR, Representing the Bombay Presidency Women's Council.

1. *The Chairman :* You represent the Bombay Presidency Women's Council ?—Yes.

2. That is purely a provincial Association ?—Yes.

3. Can you tell me what the membership is ?—About 500 in the Bombay Presidency.

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4. I see that they are against adult franchise ?—Yes.

5. But they are in favour of the literacy qualification for women together with the ordinary property qualification ?—Yes.

6. Have you formed any estimate of the number of women who would come on the roll by means of the literacy qualification alone ?—That would depend on the literacy test.

7. Supposing it is proof that the villager is able to read and write ?—I cannot say the exact number because under that qualification hundreds of thousands would be enfranchised.

8. I think the total number of women under the new sections classed as literate were 270,000 and out of that a certain number would be under 21. I think that would leave about 200,000 or 250,000 and of course you have no idea how many would come under the property qualification ?—No.

9. You don't know, in other words, what the percentage of women voters would be to men voters ?—We don't care so much for the percentage as the quality and we say by the education test it would be more.

10. You are against any special provision being made for women for election in the legislatures, why is that ?—We thought it best that women should contest the seats for themselves. In the late municipal elections we saw women at the top of the polls and we think if intelligent women come forward there is no reason why they should not be on the top of the polls in the legislatures.

11. You think you could get some women elected ?—Yes.

12. *The Hon'ble Mary Pickford :* Do you feel that it will be extremely important when the system of responsible government is first introduced that in the Provincial Council women should have an opportunity of putting forward their case and expressing their point of view on matters which will affect them and their children ? Do you feel that it will be a particularly important matter when responsible government comes in under the new Constitution ?—Women can rely on men to bring in such resolutions in the legislature and if women contested the seats we feel sure that there would be one woman or two in the legislature.

13. I hope you are right but supposing you are not, and the women voting strength will not be very great under your proposals, and supposing owing

to party considerations and other matters no women did enter the Councils, do you not feel that this would be a very great loss to the Councils in these first very important years ?—It might be a loss, but we should like women to be there as women on their own strength and not because seats were reserved for them.

14. I quite realise that there are many disadvantages about co-option and there are some other methods ; but may I put before you very shortly one matter that has been suggested for securing some representation ? It has been suggested that women should contest a constituency in the ordinary way by soliciting votes from men and women electors and supposing not 5 per cent. or none were returned ; then there were a small number of seats, let us say for argument, 5 seats, given to those women candidates who having fought in the ordinary way were not able to secure a majority but they had some measure of success and therefore would go to the Council. Would you have any objection to that ?—I will just say this, that it has not been put before our Council and as I represent the Council, I cannot say.

* * * * * * *

15. I see you are not in favour of any system of group representation. Does your Council realise that that is a method which would bring in a number of women voters proportionate to the women population ? May I know what the feelings of the Council against such a system were ?—As there was no adequate system of grouping put before the Council, the Council thought it would not work properly because women in those rural parts are quite uneducated and they do not know anything about exercising franchise; so we thought they would not cast an intelligent vote and might be influenced.

16. Don't you think it might be the means of giving them political education ? After all if politics are not brought to the village woman she will not be able to cast an intelligent vote ?—We thought so, but in the absence of an adequate system we could not say anything. If a system could be drawn up we might consider it.

17. *Mrs. Subbarayan :* Could you explain why your Council objected to the enfranchisement of wives and widows ?—They say that women should be enfranchised in their own rights. They do not want women to be dependent on men. Although fewer women might be enfranchised yet the Council thought it better for them to stand on their own merits and we thought the literacy test would extend the franchise.

18. You say in your memorandum " The extent to which the Council would favour the increase in the women's electorate is not defined, since the larger the proportion of the women's electorate to that of men's, the better it would be. What in the opinion of the Council would be a fair proportion " ?—They do not say any proportion. They only care that women should have votes on their own merits.

19. If we had only the literacy qualification and property qualification a very small number of women would come on the roll. Your Council do not think that would matter ?—We thought it would cause them to demand property and educational qualifications.

20. Do you mean to modify the inheritance laws ?—No, they would ask their men to let them inherit property.

21. Do you think the women would be able to influence the men to do it ?—(No answer.)

22. Is your Council affiliated to the National Council of Women ?—Yes.

23. Does your Council know that the Executive Committee of the National Council of Women presented a memorandum to the second Round Table Conference last year ?—Yes.

24. And has again presented a memorandum to our Committee, and both these memoranda differ from your memorandum ?—Yes.

25. Was your Council consulted by the National Council of Women before they issued their memorandum ?—Yes.

26. Your Council expressed its dissent ?—Yes.

27. With regard to the reservation of seats, you said that women had come out successfully in the Bombay Corporation elections, but if my information is correct there the system is different ; there are multiple member constituencies, one division returns 14 members ; there is also the cumulative vote, one member can give his 14 votes to one candidate and that helps a member of the minority community to come in but in the elections to the legislature it is different ; it will be for a single member or two members. When your Council is reconsidering the question of seats, will you bring this point to their notice ?—Yes.

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28. *Rao Bahadur Asavale :* You have supported the educational qualification don't you think if this qualification is applied to women it would mean that you are giving the advantage to the advanced classes ?—Why, the qualification is very low so that it can reach the women of the villages,—if at all educated. As I said we are for the quality of the vote. If there are uneducated women in the villages we are sorry for that but we do not think there is any use enfranchising women unless they can exercise the franchise properly.

29. You mean to say if they are not educated they do not exercise the franchise properly ?—In some cases.

30. Where did you find that ? In what election ?—What do they know about exercising the franchise if they are not educated.

31. *Mr. Haji :* I just wanted to know from you whether the enfranchisement of wives and widows is a practicable method of enfranchising women at large ?—As the representative of the Council I cannot go beyond that. Personally I don't like it.

32. Under the regular enfranchisement most of the women enfranchised would be wives ?—We have not advocated adult enfranchisement.

33. *The Chairman :* The proposal has been made that instead of enfranchising both wives and widows only widows should be enfranchised. If you had to choose between the two what view would the Women's Council take ?—I shall put it before the Council.

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Memorandum submitted by the WOMEN'S INDIAN ASSOCIATION, Bombay.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) The Women's Indian Association have accepted the principle of adult franchise to be the immediate basis of the new electorates in India ; and if that principle were adopted, the desired extension of the franchise would be most liberally achieved. The lower limit of enfranchising only 10 per cent. of the population would, I think, be unacceptable to any responsible organisation in India ; while even the upper limit of 25 per cent. suggested in the covering remarks to this question appear to me as likely to be utterly inadequate in view of the rapidly growing political consciousness among the masses. The principle, therefore, that we have

Memorandum by the WOMEN'S INDIAN ASSOCIATION, Bombay. [*Continued.*

suggested,—*viz.*, adult franchise, would enfranchise about half the population of India,—that being the proportion of the adult to the total population according to the Census of 1921, in round terms.

(*b*) Yes. Large aggregates of voters in modern democratic communities, can be said to "cast an intelligent vote" only under certain well-known limitations of that phrase. These masses can, and do, only record their vote on large issues of general public policy. By the very nature of the case, electors, whether in this or any other country, cannot pronounce any judgment on every detail of public policy, every measure of legislation in all its technicalities and complications. The electorate is ordinarily consulted at certain intervals; and then on broad issues, if it is at all to give a dependable verdict. On that assumption, there is no risk, in our opinion, of the Indian electorate, widened as we have suggested, failing to record an "intelligent vote." The danger, if there is any, of the electorate not being able to understand the niceties of a public issue placed before it, and therefore failing to cast an intelligent vote, would be there, whether only 10 per cent. of the population is enfranchised, or 25 per cent. or 50 per cent. as we have suggested. Hence such a remote and negligible possibility should not, we submit, be made a reason for denying, or withholding, the primary right of citizenship in a modern civilised community from large masses of our men and women. For, any qualification, whatever that be, that is imposed with a view to keep the electorate down to a predetermined proportion of the population, would have this highly objectionable result; and we would, therefore, suggest to the Committee that the principle we have put forward be recommended by them for immediate adoption.

(*c*) With our modern means of mechanical devices, and quick transport facilities we can see no insurmountable administrative obstacle in giving effect to our suggestion for adult franchise. Take in order the three categories of difficulties envisaged by the Committee, *viz.*, (*i*) the preparation of electoral rolls; (*ii*) the maintenance of the same; and (*iii*) counting of the votes. The initial preparation of the Electoral Roll must, admittedly, involve extra trouble; and there is no question but that we must face it. The trouble, however, will practically be the same, whether we have 25 per cent. of the population enfranchised, or 50 per cent. With the necessary, adequate number of units—*i.e.*, by Districts or Talukas in each Province, if not by each town and village, in which the electoral roll is prepared for the new constitution; and given the new consciousness among the people, and increased interest of the candidates likely to seek their suffrages, the introduction of every eligible voter on the roll will not cause half the actual trouble that we might at present anticipate, without considering properly such intangible, but not ineffective, factors as I have just named. The candidates, the people, or their several communal or other organisations will, I am certain, heartily co-operate with the administrative officers engaged in the preparation of these Rolls; so that the increase in difficulty in practice would be negligible. (*ii*) Once these rolls are prepared, their maintenance up-to-date, from time to time, is a matter of relatively very little administrative difficulty. With the experience we have already gained about the maintenance of the roll and its revision from time to time rules can be easily framed by which this difficulty can be minimised. The representatives, the future candidates, the organisations of voters, like the Trade Unions or even Village Co-operative Unions, these several classes will be amply interested and concerned to render every aid in their power to the administrative machinery engaged in keeping the rolls up-to-date. A few more clearly worded rules, gained from past experience of our own or other countries; a more definite time-table, shall we say for the addition or alteration of the roll, and this argument against the increase of the electorate on the lines suggested by the Women's Indian Association vanishes. (*iii*) The counting, which may also comprise the collection of votes at an election, is the least of the administrative difficulties, which must never be allowed to stand in the way of every citizen of this country obtaining this primary right of citizenship. The votes at an election will necessarily have to be taken at more than one place in a

Memorandum by the WOMEN'S INDIAN ASSOCIATION, Bombay. [*Continued.*

constituency. The Bombay City sets up 7 polling booths at the time of Municipal Elections, and two or three at the time of Council elections. Even this number may be increased so as to make the voting place more easily accessible to the voter. In country districts the same principle may be, must be, followed, so that, at the time of any provincial or federal legislative council election, there is a voting booth, let us say, for every 10 sq. miles of area. This is only an illustrative figure, which will of course vary according to the distribution of the population in any given electoral area. The bringing of voters to the voting place from their homes in any such area would be no very difficult task under our modern conditions of transport. Let me illustrate my meaning with reference to conditions in this Presidency. On the basis of adult franchise, the strength of the electorate for the Presidency would be roughly, 10 million. If the electorate is thus increased about 10 times, the number of the representatives will also have to be increased. If we only double the present strength of the legislature in this Presidency, the number of electors to a representative would on an average be $\frac{10,000,000}{250}=40,000$. The area of the Presidency may be taken at 200,000 sq. miles, which would give, on the basis of 250 constituencies, an average area of about 800 sq. miles or 20 by 40 miles in breadth and length. If the voting booths in such an area are conveniently placed, with proper consideration of the actual distribution of the population in the area, the voters can all be conveniently brought to the booths by motor buses engaged for the occasion by the State. If the election is on a public holiday, as is even now the case, the difficulty of transporting the voters to the polling station would be still further reduced. The counting of votes will then be spread over several stations; or even if the counting takes place at one central place, with our modern devices of an adding machine and the like, there should be no very great difficulty in properly counting the votes and declaring the result.

(*d*) In view of the answers already given, this question does not arise.

(*e*) This also does not arise, since we have advocated adult franchise and I have tried to answer the counter-arguments implied in (*b*) and (*c*). I may, however, add a note in passing at this stage. If the ultimate decision of Parliament is to restrict the right to vote to a section smaller than the adult population of the Presidency, contrary to our deliberate opinion, I would suggest that the constitution should contain a clause by which the voting qualifications, as originally laid down in the Parliamentary enactment, may be open to modification by the Local Provincial Legislature, should the elected representatives of the Province think it right and proper thus to extend, not to restrict still further, the franchise. This would make the constitution, as settled by Parliament more elastic in one of its most important particulars; and at the same time place the responsibility for modifying it in a particular direction only on the people presumably best entitled and qualified to make such a change. The franchise provision, as laid down in the Parliamentary enactment, would on this basis, apply only to the first elections thereunder, the Provincial Legislature being left the free unfettered judge of when and how to extend the franchise.

(*f*) The organization I represent has accepted the principle of adult franchise for immediate adoption; but if, for considerations appearing to Parliament adequate, direct voting is replaced by indirect voting through groups of secondary electors, themselves elected by primary electors, the Women's Indian Association have indicated in their memorandum how that organisation would view such an eventuality. It is, however, open to me to point out that indirect election, whatever its administrative conveniences, suffers from very considerable defects. Take this simple calculation. If the entire adult population were qualified as primaries; they would aggregate, roughly, 125 million electors, in British Indian Provinces. Now, if only 1 in every 20 of these were to be elected by them to be the secondary or final electors the real strength of the electors would be only about 6 million, no

Memorandum by the WOMEN'S INDIAN ASSOCIATION, Bombay. [*Continued.*

increase over the existing position, but actually a reduction over even the present strength. This figure has but to be mentioned to make its seem utterly unacceptable to the daily growing mass of politically conscious people in India. Again, in every 20 primaries electing a voter, if the choice is, as it will have to be, by absolute majority, the minority of as much as 45 per cent. may prove utterly ineffective. This is on the assumption that all the 20 primary electors vote, and elect their representative elector by a majority of 11 : 9. But if we remember that in every election, not whole electorate votes, and if we on that experience, consider that about 15 out of 20 would go to the polls, it may be that the person elected to vote for such a unit does not represent even a bare majority of the electorate. The interests of a very large minority, may, on this basis, come in practice to be disegarded. This would be the more so, if we remember that in such grouping, there can be no possibility of proportional voting or transferred preference in voting. The groups will, in all probability, be single-member units, in which the minority can have no chance of political expression or recognition. Given the conditions of India, which in other connections the Committee have themselves emphasised, where large masses of people are still uneducated, and unorganised, where political consciousness is growing but the right to vote has not yet become a regular habit, the device which imposes such a heavy handicap on the minority, and such a large one, at that, must be viewed with the utmost distrust.

In laying out these points, I have deliberately referred only to the obvious, easily demonstrable, considerations. That, however, does not mean that I think nothing of the invisible, but potent, forces, which will be bound to be at work to defeat the real objective of this enquiry and its recommendations, whatever they eventuate to be. Elections are possible much more easily to manage when the number of voters is small. Managed elections, Tammany Hall practices, will receive a heavy premium, if we adopt the group system in the manner indicated. Nearly 80 per cent. of the population even in this Presidency, the most advanced industrial Province in India, lives in rural districts ; and that population is particularly liable to be " managed " if we resort to such grouping in place of direct and free election, whatever be the basis of the franchise. If a choice has to be made between the two devices of either a somewhat restricted franchise, or grouping, though I would dislike both, I would certainly prefer the former to the latter. This, at any rate, is my personal opinion.

(*g*) I do not favour the idea of restricting the right to offer oneself as a candidate only to the members of an electoral unit, no matter on what basis the electoral units are eventually constituted. The objection would, if anything, be stronger, if the principle of indirect election on the basis of a group system is adopted. The one reason for this objection is that, by such restrictions being imposed, we shall prevent the sense of provincial solidarity being developed as we would desire. In Provinces like this Presidency, where several distinct linguistic people are combined into one administrative unit, like the Gujeratis, the Maharashtriyas, the Sindhis, the Kanarese, —the prohibition to a member of a given division to stand from any other division than that to which he or she belongs, would only serve to intensify the already too prominent parochialism visible to-day. We must foster and promote, by every means in our power, the sense of national solidarity, on the Provincial scale, the same sense will appear as Provincial solidarity,—the sense of community of interests and ideals between the inhabitants of the Province as a whole no matter what particular geographical region within it one inhabits. With this ideal in view, I would emphatically object to any such suggestion as is put forward in the question under reply.

(*h*) ; (*i*) ; (*j*). In view of the answers already given, these do not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) The character of the electorate in the rural (agriculatural) areas and that in the urban (industrial and commercial) areas is so obviously different in this Presi-

Memorandum by the WOMEN'S INDIAN ASSOCIATION, Bombay. [*Continued.*

dency, that there is an unavoidable disparity in the voting r ights of the two, under present conditions. The only effective way in which that disparity could be finally removed would be the adoption of adult franchise. For, on that basis, no other qualification would be expected from a voter to be qualified to vote, except, being of the prescribed age, of sound mind, and having been resident,—and registered as such resident,— in the given area for the required length of time prior to the election.

(*b*) This trenches on the communal problem, and the organisation I represent is clearly of opinion that joint and common electorates only should be adopted. In that case, the principle of adult franchise would, we think, effectually secure to each community its adequate strength in the Legislature. The reservation of a prescribed proportion, or number, of seats in the Legislature for specified communities, even on the basis of joint electorates, would, we are aware, draw needless attention to the specially favoured position of particular communities. But it seems that the solution of communal issue would be impossible, unless some such assurance of adequate representation is given to minority communities. Hence, the organisation I represent is reconciled to the suggestion of reserving, on the basis of jont electorates, a given proportion or number of seats for particular communities in the Presidency Legislature. This is only as a temporary measure; and we would recommend that a provision in the Constitution settled by Parliament should be included so as to enable provincial legislatures to abolish this peculiar feature when the need for it is over.

(*c*) The holding of property of any kind is not a test of political capacity. The ability to cast an intelligent vote is conditioned by soundness of mind, not fullness of purse. Hence the organisation I represent is against any such additional qualfications being imposed as a condition precedent for voting.

(*d*) The educational test may, on the face of it, be more justifiable than a property qualification, since the former is a better evidence of political capacity. But large sections of the community are still very backward in education, particularly women, and the so-called "depressed classes." Hence, if any such test is imposed as a qualification for voting, these important sections would be automatically debarred from exercising or enjoying their primary right of citizenship. As against 14 out of every 100 adult male literates in British India, there are only 2 in every 100 adult women so qualified. This needs but to be stated to emphasise the unbearable hardship and injustice of adding such a qualification for the right to vote. And probably the condition of the so-called Depressed Classes is even worse.

(*e*) If we accept adult franchise, there would be no need nor justification to recognise any special qualifications of particular status.

3. WOMEN'S SUFFRAGE.

(*a*) The Women's Indian Association is emphatically in favour of extending the women electorate. But they are convinced that the method suggested in this question would not at all suffice to give effect to the new consciousness of Indian womanhood. Adult franchise is the only way in which every woman of the prescribed age would get a real, effective, vote. To enable only the wives,—or widows —of men entitled to vote to have this right would, in practice, only result in doubling the male vote, and making the condition of women less enviable than ever. Besides, in a land where poligamy is not unknown, and where desertion of wives by their husbands is also not uncommon, the merely administrative difficulty as to which of the several wives of a qualified voter should be allowed to vote or whether a wife residing not with her husband should be qualified to vote is likely to cause the utmost difficulty. We are, therefore, unreservedly in favour of adult franchise, as the only means to secure the political as well as social and economic emancipation of women in India, without adding any such condition or restriction,—*e.g.*, being married,—as would place a needless and unwanted handicap

Memorandum by the WOMEN'S INDIAN ASSOCIATION, Bombay. [*Concluded.*

on woman. Finally, the organization I represent would increase the strength of women voters, so as to include every adult woman in the roll.

(*b*) In view of the answers already given regarding the Group System, this question does not arise. As for the co-option of woman representatives up to 5 per cent. of the strength of a local Legislature, I fear the device would only result in adding to the strength of the Party in power in that Legislature, without really recognising and giving effect to the political consciousness of women. For, however camouflaged, the co-optees will in effect be nominees of the majority in the Council; and the device of Proportional Representation would not help really to enfranchise women. Besides all this, if women are to find their place in the Legislature through co-option, they would only secure the proportion they are allowed by law in this manner. The minimum will also be the maximum in that case. On the other hand, if women trust to the open door of election to obtain representation in the Legislature, they may be sure eventually of obtaining all the representation they desire, even though to commence with they secure much less than 5 per cent. of the total strength. In this connection, it might be interesting to note that the women representatives in the German Reichstag, under the present constitution, have averaged something like 10 per cent. of the total (about 40 out of 400), in spite of the fact that in Germany women are much better educated and organised than anywhere else perhaps. Even in Britain, at the last general election, despite the adult suffrage, women representatives lost practically everywhere, and their present strength is, I believe, much smaller than in the last Parliament. This is only to show that once we recognise the political consciousness and civic rights of women on a basis of equality with their menfolk, women may be trusted more fully even than men to vote intelligently in the best interests of the nation, rather than for the special glorification of their sex.

4, 5 AND 5A.

The main principle, already elaborated in the previous answers, should apply in these cases also. I would add, however, that so far as the representation of the Depressed Classes is concerned, every care must be taken that the method devised does not result in perpetuating the social ban which today constitutes "Depression" and which we are all agreed it must be the first concern of the new constitution to remove. Separate representation, by separate constituencies, by members qualified in those exclusive constituencies, would, we fear, only perpetuate this unfortunate ban; and, were there no other consideration, on this apprehension alone, I would vote against such a principle. The possibility of making multi-membered constituencies, so that the minority of depressed classes, which in single-member constituency may not get any representation at all, should secure adequate representation, may, however, be advantageously considered. As that, however, would involve too detailed a consideration, I refrain from going further into the particulars of that suggestion at this stage.

Memorandum submitted by Dr. (Mrs.) MALINI SUKTHANKAR, Honorary Secretary, All-India Women's Conference.

I.—PROVINCIAL LEGISLATURE.

1. EXTENSION OF THE FRANCHISE.

(*a*) As the Organisation I represent desires an immediate adoption of the principle of Adult Franchise, I would suggest that the principle be adopted so as to include at least ten per cent. of the population in the electoral roll, if not more.

(*b*) Yes. So far as intelligent recording of vote is concerned all large aggregates of voters, whether under Indian, British, European or American conditions are bound to record their influence on very broad generalities without attending to the details or technicalities involved in any piece of national policy; besides the elec-

torate should be consulted necessarily on large issues of policy and at considerable intervals so that the danger implied in the question will either not arise at all or be insignificant. The very remote possibility that such an electorate may not be able to "cast an intelligent vote" should not be made a reason for denying franchise to very large members of our country-men and country-women who will be unable under present conditions to fulfil any of the tests or qualifications that are imposed in other systems for the privilege of voting. The right to vote must be regarded as a fundamental right of citizenship and should as such not be conditioned by any other tests except that of age of discretion, sanity and freedom from any taint of moral turpitude. In India any qualification for voting by way of property rights or literacy tests would necessarily exclude practically all women and a large number of poorer men since over two-thirds of the country lives under the margin of starvation. Under the circumstances, I repeat the possibility or otherwise of an independent vote being recorded at frequent intervals by such an extended electorate should not be made into a reason for denying the vote to such members.

(*c*) I can see no insuperable administrative difficulties in accepting the principle of "Adult Franchise" in these days of mechanical devices for counting votes as well as for recording votes in the shape of transport facilities. The obstacles we might have encountered in the past, no longer seem to be unsurmountable. The first preparation of the electoral roll in every Province would of course mean extra trouble but the increase in the trouble (whether we have ten per cent. of the population enfranchised or such a larger population as is advocated by the Organisation I represent) will not be so great as to negative by itself the policy advocated. The fact, moreover, that the electorates in almost every Province will have to be subdivided into numerous constituencies will go a long way to minimising these difficulties, such as they may be. Besides, as the number of seats will also be relatively increased for securing adequate representation of the entire population of all interests and class included, the average constituency will not be so unwieldy as is apparently implied in the question under reply. As for revising the rolls from time to time, that would not mean greater trouble than we encounter nowadays or would encounter if only ten per cent. of the people were enfranchised, if the experience gained in revising the roll is utilised to the utmost for drafting rules of revision. Everything considered, then, I see no difficulty in preparing or revising or maintaining the rolls and in recording and counting votes under such increased electorates, as would justify the exclusion from the primary right of citizenship of a large bulk of the population.

(*d*) As I have already suggested the alternatives to (*b*) and (*c*), this question does not arise.

(*e*) As I have already suggested the adoption of Adult Franchise, this question also does not arise. If, however, the ultimate decision is to restrict the franchise to a basis narrower than Adult Franchise I would suggest that provision should be incorporated in the constitution enabling every Provincial Government to extend the franchise within its jurisdiction by its own motion so as to enfranchise those excluded under the contemplated constitution. The precedent for such a policy is to be found even in the provision of the existing constitution which has enabled every Province to extend the franchise to women within its jurisdiction, for the local Legislature and for the Central Legislative Assembly. The provisions on the lines just suggested would render the constitution elastic and enable the proper parties to judge of the expediency or the advisability of extending the franchise in such a manner as they should think proper without in any way being restricted or conditioned by outside authority or under the provisions of the constitution. The original franchise provision should be made applicable only for the first constitution of the Provincial Legislature leaving it to that Legislature or its successor to take such measures as they choose in regard to the extension of the franchise. In this connection may also be mentioned the device of a referendum to the entire Provincial electorate on the simple straightforward question as to the advisability of further

Memorandum by Dr. (Mrs.) MALINI SUKTHANKAR. [*Continued.*

extension of the franchise, though I feel confident that the good sense even of the Local Legislative Council under the provision of the reforms now under contemplation will bring about an early extension of the franchise.

(*f*) I have nothing to add to what has been stated in reply to this question by Raj Kumari Amritkaur, Chairman, All-India Women's Conference at Lahore.

(*g*) I am not in favour of rigorously restricting the right to be a candidate to members of the electoral units on whatsoever basis such units may be formed. I should permit the citizens of a Province to be entitled to stand for election in any electoral unit, whether it is the one in which they habitually reside or carry on business or have other interests or not. The sense of provincial solidarity will not be achieved if distinctions are maintained between electoral units even to the extent of restricting non-members of a unit from standing for elections in the unit.

(*h*), (*i*) and (*j*) I have nothing to add to what has been stated in reply to this question by Raj Kumari Amrit Kaur, at Lahore.

2. FRANCHISE QUALIFICATIONS.

(*a*) The character of the agricultural or rural or urban and industrial or commercial areas in this Presidency is so different that there is an existing disparity as regrds franchise qualifications in these two main groups of electoral areas. The only way in the opinion of our Organisation by which such disparity can most effectively be removed would be to accept the principle of Adult Franchise, as no qualifications or tests would under that principle be required for the voter to be qualified to vote with the exception of having the required age and being of sound mind. No disparity of the type here considered would at all arise and no other measure. I would submit, would effectually remove the present disparity. Moreover the conflict of interest, such as there is between town and country between industry and agriculture would be needlessly emphasised if we were to permit such disparity to continue. The real record of popular sentiment on larger issues of policy can only be obtained if we have simple unity basis for the electorate and consequently the recommendation of the Organisation I represent is reinforced by these considerations as well.

(*b*) This question relates to the communal problem. The Organisation I represent is of opinion that joint and common electorates alone should be adopted. The principle of Adult Franchise would effectually secure to each community its adequate strength in that electorate as also in the representation in the Legislature in so far as such proportionate strength requires and is justified to be maintained.

The reservation of a given number of seats in the Legislature even on the basis of joint electorates would, we are aware, draw attention to the special position of the particular communities. But inasmuch as any settlement of the communal problem will have to be recognised and given effect to by means of some such device, we must be reconciled to this course in order to do away with the communal tension as prevailing to-day. Accordingly, we would welcome joint electorates with reservation of a certain proportion of seats in the Provincial Legislature to certain specified communities, as a temporary measure. In this case, as in the previous case the Organisation I represent would also recommend that the constitutional provision in this behalf should be so framed as to leave a measure of latitude to the newly constituted Provincial Legislature for varying, altering or modifying this provision as it seems best in the interests of the people of the Province under the new regime : and no restriction should be imposed by way of time limit or otherwise, within which the change desired by the Provinicial Legislature should be accomplished.

(*c*) The possession of property of any kind, real or personal, jointly or separately is no test of the intelligence for the vote in the opinion of the Organisation I represent. The capacity to vote independently is dependent upon the possession of sound sense and not upon the holding or owning of any property or deriving any income from such property or from one's labour. If any qualifications are at all to be imposed for

Memorandum by Dr. (Mrs.) MALINI SUKTHANKAR. [*Continued.*

securing that intelligent voting shall result, they should not be of the nature of holding or possession of property or income. The only way therefore that the Organisation I represent would suggest would be on the lines of giving the vote to an adult man and woman of sound mind residing for a given period within the Province and registered as such.

(*d*) The educational qualifications of the type suggested in the question would perhaps be more important than the property qualification, as by itself it would be better evidence of the soundness of mind than the property qualification. In view, however, of the prevailing backward state of education in large sections of the public in this country, and particularly as such qualification is bound to operate injuriously upon women, it must be negatived by the Organisation I represent. Even recognising that the progress of women's education is growing, that applies only to girls now under the system of education. A large proportion of adult women are still uneducated and would as such be unqualified if the education test was imposed for the right to vote. Thus it is unnecessary for us to suggest any educational qualification whether of literacy in one's own language or otherswise.

(*e*) On the basis of the Adult Franchise it would be unnecessary to recognise any separate special qualifications of the type mentioned in this question. They are necessary if at all when the franchise was so restricted as is the case under existing circumstances. Hereafter any such qualification of status or work would be unnecessary.

3. WOMEN'S SUFFRAGE.

(*a*) The Organisation I represent is emphatically in favour of increasing the women electorate, but they consider that the way suggested in this question would not suffice for giving effect to women's political consciousness in the country. The only method by which all women would get a real right to vote and not merely be duplicates of their parents or husbands, would be to accept the principle of Adult Franchise. The Organisation I represent strongly desires the extension of women's electorate so as to include every adult woman as a duly registered voter.

(*b*) The answer to this question must be found in the previous question in paragraph (1) (*f*). The Organisation I represent would never countenance any constitution of electorates whether on communal lines or on lines of sex. The electorates must be joint and common. Their basis should be uniform and their lines of division should be only regional and geographical.

(*c*) Having suggested Adult Franchise, the solution of the contingencies suggested in this question does not arise. The co-option of women even on the basis of proportionate representation would not serve the purpose of really enfranchising women ; for if they have not an independent right to vote, for themselves, the co-opted women representatives would only be nominees of the party in power. The suggestion of a proportionate representation would be a mere camouflage. And the restriction of co-opting women to the extent of five per cent. of the strength of the council would not only not secure that place for women, in the scheme of the constitution, and in the life of the country, which is their due, but it may be that in the ordinary election, if women secure only five per cent. of the seats they would get no more. It would be much better for them to come in by open door of election than owe their place to party influence and political wire-pulling.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

(*a*) Strictly speaking, women of all communities must be regarded as the most considerable of the depressed classes in India under the present conditions. If any separate recognition is to be constitutionally given for representation to the depressed classes the women of India must first get such recognition. The All-India Women's Organisation which I represent, would, however, desire no such recognition, as it is neither in the interests of women nor in the interests of the country as a whole. They would be content with Adult Franchise and the direct election, and wait for

their adequate recognition on public sentiment being properly educated for that purpose.

If we consider people to be *depressed*, who are economically or educationally backward, the list of depressed classes would be enormous. Even in this Presidency if every such class is to be regarded as a depressed class, the representation on the basis of separate electorate for each such class would make a mockery of the constitution, and render the administration of the Province utterly unworkable. If, on the other hand, the social bar alone is to be considered as a mark of "depression," the statutory recognition of such a point would only intensify and not remove the ban, as all social reformers desire. If the real intent of the methods proposed is to remove the taint of depression, then it is best not to give statutory recognition to the social ostracism which has caused the "depression." The one thing one should do, would be to undo the social distinction by refusing separate representation simply on the ground that any particular class is untouchable, or according to any such other line of distinction. On social as well as political considerations, therefore, the Organisation I represent, would strongly oppose any suggestion for a separate representation of any class economically or socially depressed by separate electorates. The depressed classes, however, will in our opinion and on the basis of the franchise that has been contemplated by the Organisation I represent, secure representatives of their own choice sufficient to safeguard all their legitimate interests. The increase in the strength of the Councils, coupled with the proper grouping of ectorates, would suffice to secure these. It may be considered, however, that on the basis of adult franchise, since the so-called depressed classes (mostly untouchables) would in every village be by themselves a minority, the constituencies proposed to be set up under the new reforms may generally speaking be advantageously made multi-numbered constituencies. Let me give an illustration to clear my meaning. If it is found that on the general distribution of the population, the so-called depressed classes are all in a minority of twenty per cent., in every electoral unit that can be conveniently formed, each constituency may be made of not less than five members, or in multiples of five. There would be more than an academic possibility on that basis, for the depressed classes thus defined to obtain their own representation, in a just proportion, and adequate strength. This would be so always assuming that they will have such a degree of distinct consciousness and separate interests as to allow them to choose their own separate representatives. As a transitional measure, I would even consider that if in this device, the representatives of the depressed classes returned to the Provincial Legislature fall short of one-fourth of their proportionate strength in the electorate an equal number may be added by means of co-option from amongst the defeated candidates of that class, and from new candidates by the members of the council already elected. This device might render their strength in the council as fluctuating, in any given term of council, but that is a much smaller defect than leaving this class with a sense of grievance as being under-represented. The details however on this principle can be worked out and exact measures may be adopted later on while making rules for the distribution of seats.

5. REPRESENTATION OF LABOUR.

In this case also the Organisation I represent is against separate electorates or separate representation by methods other than election. The organisation of labour in industrial areas and the consciousness of that class as a separate class is already proceeding in this Presidency. To emphasise it further by indirect separate representation of that class would only serve to promote or accelerate the advent of a class conflict and class war and it is to be hoped that the purpose of the new reforms would not be to introduce devices that would add to the cleavage of interests already manifest in this Presidency.

Memorandum by Dr. (Mrs.) MALINI SUKTHANKAR. [*Concluded.*

5(*a*). REPRESENTATION OF SPECIAL INTERESTS.

The Organisation I represent is against any separate electorates for separate representation of any special interests whether landholding, mining, labour, commerce or even universities. All these are interests which would be sufficiently powerful of their own accord to obtain more than adequate representation from general constituencies and so need no separate representation whatsoever. To grant them separate representation would only be to add to their strength at the expense of a class of interests and sections of the people like the women who would fail to obtain representation at all under the existing conditions ; and this altogether apart from the fact that such separate representation would only serve to emphasise the class conflict and accelerate class war.

II.—FEDERAL LEGISLATURE.

I have nothing to add in reply to questions under this head to what has already been stated in reply to them by Raj Kumari Amrit Kaur, Chairman, All-India Women's Conference at Lahore.

Miss G. J. BAHADURJI, M.A., Representing the Women's Indian Association.

Mrs. HAMID ALI } Representing the All-India Women's
Dr. (Mrs.) SUKTHANKER } Conference.*

1. *The Chairman :* Miss Bahadurji, I am not quite clear as to whether you are giving evidence on behalf of the Women's Indian Association or the All-India Women's Conference ?—I am giving evidence on behalf of the Women's Indian Association, but the memorandum which the Women's Indian Association has submitted is practically the same as that submitted by the All-India Women's Conference.*

2. The two associations are in agreement ?—Yes.

3. The All-India Women's Association is in favour of adult franchise ?—Yes.

4. Either in the direct form or wholly indirect form ?—Personally, I am not in favour of the group system in any form. That has been suggested only as an alternative. I think, it is better to have a restricted franchise than that system.

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5. Supposing it is a fact, for whatever reasons, that either of the two systems that you suggest is impracticable, what third best would you have then ?—Even then I would be in favour of restricting the franchise rather than have the group system, because I think that that system is entirely a wrong system. Even if adult franchise is not accepted, I would rather favour a restricted system of franchise than have indirect voting. That system is not good at all.

6. *Mrs. Subbarayan :* Is that your personal view or the opinion of the association ?—The association is in favour of adult franchise, but only as an alternative in favour of the group system. My personal view is to have a restricted franchise rather than the group system.

7. *The Chairman :* Restricted franchise and direct voting ?—Yes.

8. *Mrs. Subbarayan :* What basis would you suggest for that ?—Having been all the time thinking about adult franchise I have not considered that particular side at all. I was thinking that adult franchise might be made to be practicable.

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* The memorandum of the All-India Women's Conference is printed at page 86 fo Vol. V.

10th March, 1932.] Miss G. J. BAHADURJI, Mrs. HAMID ALI AND Dr. (Mrs.) SUKTHANKER. [*Continued.*

9. Would you be opposed to making literacy, defined as 'ability to read and write' as the basis for women's franchise ?—I think that would be out of the question because only about 2 per cent. would be able to read and write. That would give a voting strength of only 2 per cent. That is hardly sufficient.

10. You are against wives and widows getting the vote ?—Positively against. That would only mean duplicating the male vote, and apart from that amongst Muhammadans they have got 4 or 5 wives. Which wife would get the vote ? Then again so many women are living apart from their husbands.

11. It has been said that it may not be practicable under the ordinary system of election for the women to be returned in the first one or two Councils. It has also been pointed out that it is important that a certain number of women should be in the Council in order to put the women's point of view before the legislature. A number of ways have been suggested in which this could be done. One is co-option. Another way is that women should contest the elections in the ordinary way and five or six women who got the largest number of votes but did not win should fill 5 or 6 seats specially reserved for women. Would you say that such a proposal too would be pernicious and humiliating ?—I don't say it will be pernicious and humiliating, but I am against the principle of co-option. After all who will be those 5 or 6 women ? They would be the nominees of the party in power. I don't think that they will be the nominees of the women really. The real women will not be able to get in. I am therefore against co-option. If, however, adult franchise is definitely negatived, and it is decided to reserve some seats for women, I would suggest as the third best alternative that the seats so reserved for women should be thrown open to direct election on the basis of whatever franchise should be decided upon.

12. You think reservation of seats is better ?—Only in the first two councils and not after that.

13. Are you speaking on behalf of the Women's Association ?—They did not consider the whole questionnaire.

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14. You personally are of that opinion ?—Yes, I am against co-option. I would favour the system of reservation of seats for the first two councils. In addition to that I would like to say that when the Parliament passes the Act it should only apply, in the first instance, for 6 months and then it should be left to the provincial legislature to extend it or to do away with it just as it considers satisfactory. That would depend upon the conditions prevailing in the respective provinces.

15. *Sir Zulfiqar Ali Khan :* Could you please tell me if there is widespread education among the women of Bombay ?—Well, it is more than in other parts of India, but even then it is very little.

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16. Would you tell me whether among the Muslim women in Bombay there is any awakening of consciousness ?—There may not be, but I think giving the right to vote will be one indirect way of fostering that political consciousness. Even if they have no desire it is up to the women of India to teach them to have that desire. I mean that there may be no real desire at the present day. Just as there is no desire among children for education and it is up to the parents to create that desire, in the same way even if there is no desire among the Muslim women it is up to the women of India to ameliorate their lot and create that desire in them.

17. *The Chairman :* One of the ladies is speaking, I understand, on behalf of the Muslim women. Might we have her views ?—(*Mrs. Hamid Ali*) I am not really representing the Muslim women as such. I am representing the All-India Women's Conference and the National Council of Women. But, I think, as a Muslim woman I am entitled to speak for the Muslim women I know.

10th March, 1932.] Miss G. J. BAHADURJI, Mrs. HAMID ALI AND Dr. (Mrs.) SUKTHANKAR. [*Contiuned.*

18. *Sir Zulfiqar Ali Khan :* Could you please let us have your views ?—(*Mrs. Hamid Ali*)—Amongst the educated Muslim women there is as much desire for full franchise as there is amongst the women of any other community.

19. Do I understand that in Bombay among the Muslim women there is a great deal of education spreading ?—I am speaking for the whole of India. There is a great deal of education.

20. We are dealing with the Bombay Presidency ?—I know the Bombay Presidency quite well. I have lived in a great many parts of it and the desire among the educated Muslim women is for full franchise and it is just as great as the desire among the women of any other community.

21. Could you please tell me whether if in big cities like Bombay, Karachi, Ahmedabad and so forth the women are enfranchised, these women are likely to return intelligent candidates to the Council ?—Certainly.

22. Muhammadan women also ?—Yes.

23. Would the Muhammadan women like the direct system or the indirect system ?—In places where I have lived—I come from rural areas—there is no direct system as yet, but I think it would work as well in rural areas as in urban areas, and I don't think that the women would vote on a communal basis at all. They would pick out the best women and vote for the best person.

24. *The Hon'ble Mary Pickford :* Miss Bahadurji, you are here representing the Women's Indian Association. Do you represent the branch in the Bombay Presidency ?—Yes, I have been asked by the Bombay Presidency branch to represent them.

25. All the answers that you have given are after consultation with the Bombay branch ?—I have studied their memorandum. That is all. The Indian Women's Association have not considered the whole questionnaire of the Franchise Committee.

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26. *Mrs. Subbarayan :* Is your Council affiliated to the National Council of Women in India ?—Yes. It is the same organization. They have submitted the same memorandum.

27. The Women's Indian Association issued another memorandum last year in March ?—Yes.

28. And later this memorandum was published by them jointly with other women's organizations in August ?—Yes.

29. Was it placed before the Executive Committee or before your general meeting ?—I don't know about that.

30. *The Hon'ble Mary Pickford :* Mrs. Hamid Ali, do you give evidence as representing the Bombay Presidency branch of the All-India Women's Conference ?—I represent the All-India Women's Conference. (*Dr. (Mrs.) Sukthankar*) : I also represent the National Council of Women in India.

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31. With regard to this memorandum which Mrs. Subbarayan has just mentioned, was this submitted to your branch organization ?—Certainly it was.

32. You said it was published in August. When was it before your branch ?—In June.

33. Before it was issued ?—We had a draft memorandum before this and that was sent to the organizations. After their approval we had the final memorandum.

34. Of course, this memorandum is for adult franchise and nothing else ?—Yes.

10th March, 1932.] Miss G. J. BAHADURJI, Mrs. HAMID ALI AND Dr. (Mrs.) SUKTHANKAR. [*Continued.*

35. Since then it has been modified and the latest memorandum is in favour of the group system ?—Failing adult franchise.

36. When was that submitted to your local branch ?—It was submitted in April before the meeting. (*Dr. (Mrs.) Sukthankar*) : It was passed by the All-India Women's Conference Standing Committee at Delhi on the 17th of last month.

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37. I only wanted to know whether there had been time enough to have this revised memorandum submitted to the local branches ?—I don't think there is any revision in it, because we say failing adult franchise there may be the group system. It is only the group system which we did not consider last year and that is the only new thing that has been added to our memorandum. We have not modified our memorandum at all. That was a new matter brought to our notice very lately—only in the beginning of this month. We wrote to our committee and called an emergency meeting and considered whether failing adult franchise we would like to have the group system or not.

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38. The idea is that the women should contest in the ordinary constituencies in the ordinary way. But supposing none were returned or not 5 per cent. were returned, then that number of seats would go to those women who had secured the largest number of votes. A woman would not be able to get in unless she had fought in an ordinary constituency and only those who are the most successful would be returned. The suggestion is that perhaps women may not be able to get 5 per cent. of the seats. If any woman was returned at the head of the polls, in the ordinary way she would be, of course, additional to this small number of special seats. Do you think that your Conference would have any objection to such a system ? It will be necessary under that scheme for the women to fight in the ordinary mixed constituency ?—(*Mrs. Hamid Ali*) : I think we would object strongly. We do not want any special favour for women. We think it will not be helpful. It will be a sort of inferiority complex as we call it in our memorandum. We do not want any special favour done to us. We want to be just on the same basis as men. If men fail they do not get any special representation. They are not specially nominated. They stand on their own rights. In no other country that I know of have any special concessions been made in this way. There is no nomination and no co-option for women. I don't think that was done in the British Parliament.

39. I was not suggesting nomination ?—Even co-option in the way you suggest—that is, the woman who gets most votes in a general election should be taken in. A woman should not be shown a favour simply because of her sex. To nominate her or co-opt her because she is a woman, I don't think that is right. Another thing is that this will breed communal feeling which we are all against. At present we are a one solid block—women of India. We do not want any communal feeling. If there is nomination then there will be the question of having a Muslim woman and then it will be necessary to have a Sikh woman and so on. We want the women to compete in the elections on the same basis as men do. Then, again, there is the opinion amongst our people here that the women get in by the softest way; they always get into things more easily than men and perhaps their educational qualifications are not up to the standard of men. We do not want any favours.

40. Am I right in thinking that the All-India Women's Conference was originally formed with the object of seeing to the social and educational advancement of women and that it has taken a great deal of interest in such legislative measures as would conduce to that advancement, for instance, the Sarda Act and so forth ? —Yes.

10th March, 1932.] Miss G. J. BAHADURJI, MRS. HAMID ALI AND Dr. (MRS.) SUKTHANKAR. [*Continued.*

41. And therefore, no doubt, you feel that it is very important that the women's point of view should be expressed and that was your object in forming your Conference ?—Yes, it was one of our objects—that we should be represented in the Central Legislature and the provincial legislatures and we did ask in the beginning for nomination to the various provincial councils and the Legislative Assembly. But having thought over the matter more deeply—we have discussed this matter for almost a whole year—we have come to this decision. In fact, that is the only straightforward way, the reasonable way and the right way. We do not want any reservation or co-option, nothing that the men do not have.

42. *Mrs. Subbarayan :* Did you say that your Conference asked for nomination ?—In the beginning.

43. *The Hon'ble Mary Pickford :* Which do you think is more important—the abstract principle which you have put forward or securing the voice of women in the councils during the first critical years ?—I think, the principle. (*Dr. (Mrs.) Sukthankar*) : It is not only the principle. I do not think we can get the right sort of women ; secondly, even if there were a few women what good would it do ?

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44. *Mrs. Subbarayan :* You told us that your Conference asked for women to be nominated on the legislatures ?—Once, I think, in Delhi they did.

45. And I know that some provincial Governments did nominate women to the Legislative Councils. Does your Conference appreciate the work that the women did on those Councils ?—I must also remind you that later on our Conference passed a resolution to say that we would not in future appeal to Government to nominate any women because we thought that that was wrong. That was done at the Bombay Conference.

46. Why ?—(*Mrs. Hamid Ali*) : Because we felt that the right class of women are not always nominated. The first real exception to that was Dr. Muthulakshmi Reddi who did most excellent work in the Madras Council. Women like her are very, very exceptional not only in India, but in any country.

47. Your Conference does appreciate the importance of the women on legislatures ?—We do appreciate it very much. But we do not want to get in this way. Women like Dr. Muthulakshmi Reddi can do more work by keeping outside rather than entering the Council by what we call the back door.

48. Your Conference feels that women are likely to come in in the ordinary way ?—Yes.

49. Your Conference is aware that the majority of women do not enjoy independent property. They have no independent means and elections are very expensive as our men colleagues will tell you and there are very serious transport difficulties ?—We know all that. Many of our women have fought municipal elections. They know all the troubles and expenses involved. We have taken everything into consideration.

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50. Was the statement given here in reply to the questionnaire discussed at the Madras Conference ?—No. This statement repeats what our memorandum *says.

51. I take it that the All-India Women's Conference represents the whole womanhood of India, Hindus, Muslims, Christians and depressed classes and that they all approve of the views set forth in this statement that there should be no separate electorate and no separate representation of any kind for anybody ?—When the memorandum was first drafted in Bombay last April a copy of it was sent to all our constituent conferences asking them to go through it very carefully and communicate their opinions to the Central Committee. They have considered

* Printed at Page 86 of Vol. V.

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it and intimated to us their approval of it. Of course, some of the units do not approve of it entirely. But that rests with the organising secretary. I have no knowledge of that.

52. They are all agreed that there should be no separate representation for any body ?—Yes.

53. Mrs. Sukthankar, Mrs. Hamid Ali stated just now that the All-India Women's Conference does not approve of any special representation for anybody. But you say in your own memorandum that you would welcome joint electorates with reservation of a certain proportion of seats in the provincial legislature to certain specific communities as a temporary measure. Would you please explain that point ?—That is my personal opinion.

54. It is not the opinion of the Conference ?—No.

55. Would you tell us what communities you mean ?—I mean Muhammadan and depressed class communities.

56. You do not include women ?—Certainly not.

57. And then you say as regards the depressed classes " as a transitional measure I would even consider that if in this device, the representatives of the depressed classes returned to the Provincial Legislature fall short of one-fourth of their proportionate strength in the electorate an equal number may be added by means of co-option from amongst the Council already elected."—That is also my personal view.

58. Would you not extend that privilege to women also ?—My organization is against it and so am I.

59. But your organisation is against the other too ?—Yes.

60. Though you state here that women of all communities must be regarded as the most depressed of the depressed classes in India under the present condition, you would not extend that privilege to women ?—No, though it is so under the present circumstances.

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61. *Sir Muhammad Yakub :* Your idea is that there should be no separate representation ? Is it on the assumption that there should be adult suffrage ?—Yes.

62. Supposing adult suffrage is not administratively possible to work, what would you do for the representation of Muslims ?—Whatever is done should be made applicable to all alike. We are against any sort of separate arrangement made for communities.

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63. Do you think that in the present conditions, if there is adult franchise and no reservation and no safeguards for women, any appreciable number of women will be returned at the elections ?—I do not see why any appreciable number of women should be returned. We are not out to go into the councils or municipalities merely for the purpose of sitting there. We want to take an intelligent interest in the civic affairs of our country and we feel that if the people get adult franchise they will exercise their votes intelligently.

64. Supposing there is no adult franchise ?—There will be group franchise, perhaps.

65. Then you will accept the group system ?—If it is necessary.

66. Would you like women to be grouped with men ?—Yes.

67. You think that a sufficiently large number of women will be elected as secondary voters ?—Yes, I do think so.

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10th March, 1932.] Miss G. J. BAHADURJI, Mrs. HAMID ALI AND Dr. (Mrs.) SUKTHANKAR. [*Continued.*

68. *Dr. Ambedkar:* With regard to the representation of the depressed classes you say: 'The depressed classes, however, will in our opinion and on the basis of the franchise that has been contemplated by the Organisation I represent, secure representatives of their own choice sufficient to safeguard all their legitimate interests. Is there any foundation in fact for the opinion expressed here?—In our opinion it is so.

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69. *Diwan Bahadur Ramaswami Mudaliyar:* I understand that in the supplementary memorandum your Association has sent, you have advocated the group system if adult franchise were found to be impracticable. That is the only suggestion you have put forward as an alternative to adult franchise. Now, if it is suggested that in the grouping communities should be grouped separately, would you be in favour of it?—No.

70. If the Muslims were to suggest that they will not accept any system of grouping unless their community was separately grouped, what alternative suggestion would you then put forward? Unfortunately this cannot be left entirely in the hands of the Women's Indian Association to decide. Would your association consider any alternative if Muslim men were to say that under no circumstances would they accept the group system without having separate groups for Muslims?—I could not undertake to answer for my Association. They have not considered this particular aspect.

71. As you have put forward these two alternatives and as you have realised that there may be the possibility of adult franchise being not found practicable, I want you to put it to your Association whether, if communities insist in the case of grouping on communal groups being formed, you would accept that suggestion and if you would not accept that suggestion, what alternative your Association will then put forward?

72. As regards co-option, Dr. Sukthankar, you were once a co-opted member of the Municipal Corporation?—Even now I am a co-opted member. From April I will be an elected member.

73. What is your experience of co-option? Have you found it personally irksome to canvass and so on because you are a co-opted member and not a full-fledged elected member? Have you in any way had reason to regret the fact that you are a co-opted member?—I would not say that there was any opinion dead against me, but there is a feeling that a co-opted member does not represent anybody. There is that feeling.

74. But apart from the personal feeling, has that opinion manifested itself in others?—Our objection to co-option is that you do not always get the right sort of persons. It is generally by influence that they get in.

75. One should have thought that a highly intelligent electorate like the members of the Legislative Council would be the most satisfactory electorate of all?—Then it will be a question of party allegiance and party spirit.

76. Not under the single transferable vote? If there was no single transferable vote, I would agree with what you say that the party in power will fill up with its nominees all the co-opted seats. But on the basis of the single transferable vote no party however strong can hope to swamp the seats. Under such circumstances, will you consider the suggestion of co-option?—I shall put it before my organisation.

77. *The Chairman:* Kindly send us a copy of your Constitution and Rules.

78. *Mr. Wadia:* Mrs. Hamid Ali, you suggested that you want adult franchise and failing adult franchise, you would have the group system?—Yes.

79. You suggested that groups of 50 adults should elect 5, that is, one for every ten. You also suggested that the groups should be all mixed?—Yes.

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80. You suggested that as the only remedy, failing adult suffrage, by which you will increase the women's electorate ?—Yes.

81. Do you think that by women voting in this way they will be able to secure the election of women representatives to the secondary electorates ?—I am quite sure of it. Women who are fit to be elected will get in.

82. But you do want that in order that women may have an effective voice if not in the Councils at least in the electorates, there should be sufficient number of them on the electorate. At present they are less than 48,000. You think that by this system there can be any appreciable increase in the women's electorate, considering that according to the proposals now made the men's electorate will be 2½ to 3 millions ?—(*Mrs. Hamid Ali*) : I think we would get an appreciable number, and they will be the right kind of women that we want.

83. Do you think that by this method you would increase the women's electorate to anything like a hundred thousand ?—I cannot tell you the figures.

84. Supposing you get a total women's electorate, both on property qualification and the group element, of about a hundred thousand, that will give women an effective voice ?—We are not at all in favour of women having the property qualification. A woman like me cannot get in on the property qualification. How can the other women get in on the property qualification ? Thousands of women in my position cannot get in on the property qualification as it exists now.

85. Would you get a larger number of women by this method of mixed electorates ?—By adult franchise, we can get larger numbers.

86. Failing that ?—

87. *The Chairman :* Supposing the proposal is to have adult franchise and groups ?—If every woman who is 21 has the right of being a member of the group, we can get in larger numbers.

88. *Mr. Munawar :* You say if adult franchise is not found administratively possible, that ' the original franchise provision should be made applicable only for the first constitution of the Provincial Legislature leaving it to that Legislature or its successor to take such measures as they choose in regard to the extension of the franchise '. Further you add, that ' in this connection may also be mentioned the device of a referendum to the entire provincial electorate on the simple straightforward question as to the advisability of further extension of the franchise though I feel confident that the good sense even of the local Legislative Council under the provision of the Reforms now under contemplation will bring about an early extension of the franchise '. Do you adhere to this view after having heard all these questions here that a referendum will have to be made ?—Do you think it is only of academic value or practical utility as well to make a referendum to the whole provincial electorate ?—(*Dr. (Mrs.) Sukthankar*) : I still think it is practicable.

89. How do you think the whole electorate in the Presidency will be collected in one place for referendum ? Do you think that reference should be made by post to the whole electorate ? How is the view of the whole electorate to be ascertained ?—Through the Council.

90. You are in favour of the deletion of this alternative of referendum ?—I said it might be done that way.

91. You do not practically adhere to that. I take it like that. Again you say in regard to the representation of labour that the organisation you represent is " against separate electorates or separate representation by methods other than election. And then under the heading ' Representation of Special interests ', you say you are against any separate electorates for separate representation of

any special interests whether land-holding, mining, labour, commerce or even universities". And then in answer to 2 (*b*) you say 'The electorates must be joint and common'. What do you say to that ?—I have already said that it is my personal opinion.

92. Supposing special interests include Labour representation as well, would you advocate election ? If it is by election, would you advocate separate labour representation ?—I have said that if they do not get representation through election, there may be reservation. That is my personal opinion.

93. *Dr. Solanki :* In your reply to question No. 4 second paragraph, you have said 'If we consider people to be depressed, who are economically or educationally backward, the list of depressed classes would be enormous'. Do you include the untouchable classes among these ?—I have included all.

94. As well as the touchable backward classes ?—Yes.

95. You say 'If social bar alone is to be considered as a mark of depression, the statutory recognition of such a point would only intensify and not remove the ban as all social reformers desire. If the real intent of the methods proposed is to remove the taint which has caused the depression, then it is best not to give statutory recognition to the social ostracism which has caused the depression' Further you say 'The one thing one should do, would be to undo the social distinction by refusing separate representation simply on the ground that any particular class is untouchable, or according to any such other line of distinction'. And further you have stated also that 'on social as well as political considerations, therefore, the organisation I represent would strongly oppose any suggestion for a separate representation of any class economically or socially depressed by separate electorates'. Here you say 'our opinion.' It means the opinion of your association ? —The opinion of the organisation. But I personally think that reservation may be made if they fail to come in by the ordinary method.

96. You say that the 'depressed classes will secure representatives of their own choice sufficient to safeguard all their legitimate interests'. Now Dr. Sukthankar, may I point out to you that you are a member of the Municipal Corporation of Bombay ?

97. *The Chairman :* I am just wondering whether we could confine our discussion to the representation of the organisations of women before us and not to personal opinions. We have got the representative of the Indian Women's Conference and other ladies in their representative capacity. And I think we had better confine our questions to those representations and not to the individual opinions of individual witnesses. I want to ask the witness whether the opinions read out are her personal opinions. (*Dr. (Mrs.) Sukthankar) :* I have answered that. I have already said that they are personal.

98. What we want to know is the opinion of organised women.

99. *Dr. Solanki :* Only one question I would ask. Is it presumed that members of the untouchable classes will come into the Council if they join the general electorate ?—Provided they get adult franchise.

100. If they do not get that ?—We have not expressed an opinion on that.

101. *Rao Bahadur Angadi :* Is it not a fact that in this Presidency the community in which widows remain widows all their life is the Brahman community and not any other community ?—More or less. I do not think it is the only community. There may be other communities. I do not understand how this question relates to the franchise problem.

102. It is related like this. The proposal of the Government of Bombay is that they want to enfranchise widows to the exclusion of every other woman. There

fore I want to know from you whether it is not a fact that the only community in this Presidency, generally speaking, in which widows will remain widows all their lives is the Brahman community and not other communities ?—I might say in general that is so.

Note by Mr. H. K. Kirpalani, I.C.S., Municipal Commissioner for the City of Bombay, dated the 20th January 1932, regarding the working of the Trade Union Constituency in the City.

The total number of registered Trade Unions in the City in 1929 as per information furnished to this Municipality by the Registrar of Trade Unions under his letter No. T-114, dated 16th October 1928 was 21, having an aggregate membership of 36,734. Only 12 of these were Unions of manual workers entitled to representation on the Municipality. As regards their membership, status and standing, it is suggested that the required information may be obtained from the Registrar of Trade Unions.

2. Out of the 12 Unions of manual workers, 5 Unions having a total membership of 16,535 submitted their rolls of members within the time fixed by section 21-A (*d*) of the City of Bombay Municipal Act. Under the provisions of section 21-A (*b*) *idem*, these Unions were entitled to elect 80 delegates, who were duly elected and their names communicated to this Municipality. The number of candidates from this Electoral College was 6 against 4 seats allotted to the College. Out of 80 delegates on the roll 76 exercised their right of voting.

3. Two, out of 12 Unions referred to above, submitted their roll after the time fixed under section 21-A (*d*) of the Municipal Act. The rolls were therefore rejected. The remaining five did not submit their rolls.

4. For the forthcoming Municipal General Election to be held in February 1932 the total number of registered Trade Unions reported by the Registrar of Trade Unions under his No. T-194 of 5th August 1931 is 28 with a total membership of 39,837. Only 16 of these Unions consist either wholly or partly of manual workers and they were called upon to submit their rolls of members. Only four of them with a membership of 12,187 submitted their rolls within the time prescribed. Six Unions submitted their rolls after the time prescribed. They were not therefore accepted. The remaining 6 did not submit their rolls.

5. The number of delegates to be elected under the Act by the 4 Unions referred to above was 60 and this number was duly elected and their names communicated to the Municipality.

6. Out of the four members elected by the Electoral College of delegates in 1929, 3 are not manual workers. It appears that sufficient interest is not taken by the workers themselves in the scheme of election.

7. The system, as will appear from the above description, cannot be pronounced a success.

Note by Mr. H. K. Kirpalani, I.C.S., Municipal Commissioner, Bombay, regarding working of Group System of Election in Bombay City.

The principal franchise qualification in the City for the Bombay Legislative Council is the payment of a minimum rent of Rs. 10 per mensem. On this basis the number of voters in the City is 138,804 out of a population of 1,161,383. If, as recommended by the Franchise Sub-Committee of the Round Table Conference,

Note by MR. H. K. KIRPALANI. [*Continued.*

the present qualification is lowered, the proportion of the population enfranchised will considerably increase. Assuming that the franchise is lowered to a monthly rental of Rs. 5 the number of persons enfranchised will be 250,000 approximately. The adult population of the City being about 700,000 the number of unenfranchised adult citizens will be 450,000 approximately. The preparation of a list of these unenfranchised people, formed into suitable groups, in addition to the preparation of the roll of regular voters will be a formidable task, the magnitude of which only those acquainted with the preparation of the present roll numbering less than 140,000 can properly appreciate. The formation of the unenfranchised mass into groups of 20 each would give roughly 22,500 groups. To conduct the elections of these groups, to prepare a roll of their 22,500 "spokesmen," and to insert their names in their proper places in the general roll, would, I fear, prove a herculean task which cannot be undertaken without a good deal more experience than has been available up to the present.

2. The formation of the groups would be a matter of no small difficulty. As explained in the circular letter dated 28th January 1932 from the Provincial Franchise Committee, the restriction of the group to a particular number might involve the splitting up of one family or tenement between two groups. This might present no difficulty in rural areas where the population is practically stationary and the residents are known to each other. But such will not be the case in Bombay with its large floating population and residents who change their quarters frequently. The formation of separate groups for women as suggested would make the work still more difficult.

3. It is suggested in the reference under reply that the proposed group system might be applied for the enfranchisement of the depressed and labouring classes in Bombay. But I am afraid that the restriction of the system to these two classes would be even more difficult than its general application. The groups to be formed would not be contiguous as in the case of the general population; but might be spread over some distances, thereby creating confusion both in the preparation of the roll and at the time of group elections. The enrolment of even the regular voters is not always carried out without difficulty, as owing to their ignorance, some of these people are suspicious of the object of such enumeration and are in some cases known to have given vent to their feelings by assaults on the enumerators. This difficulty would be intensified if the group system is applied to the depressed classes and the labouring classes only, as inquiries would have to be made into the castes and professions of these ignorant persons. The difficulties arising out of the shifting character of these people and their change of habitations would further complicate the matter; and I fear that on the whole the system would be found unworkable.

4. I am of opinion that the reduction of the franchise to Rs. 5 will result in enfranchising a very large proportion of the labouring classes including a fair number of the depressed classes; and is all that need be aimed at at the present day. In my reply dated 20th January 1932 to an unofficial reference from the Secretary to Government, General Department, I have described the working of the Trade Union constituency in the City. As will appear therefrom, the system has not been a success. If such is the case with a comparatively well organised constituency like the Trade Unions, I fail to see what is to be gained by extending the vote, although indirect, to the vast mass of unorganised people.

5. The proposed system of giving an indirect vote to the unenfranchised is, in my opinion, indistinguishable in principle from adult franchise; only the vote given to these people has a lower value than the ordinary vote. I am of opinion that if this line of development is to be pursued it would be better to have adult franchise straightaway, for the difficulties of direct voting in an electorate of even this magnitude would not be so serious as those involved in the round-about way of group voting. With due deference I would add that the subject of franchise is one with which the world has been familiar for the last century or so; in my humble

Note by MR. H. K. KIRPALANI. [*Concluded.*

opinion it does not therefore call for any new experiments. If other countries have reached their present political development by gradual enfranchisement, there is no need for us to experiment with impracticable methods designed to enfranchise, directly or indirectly, the whole mass of people at the very outset.

Mr. H. K. KIRPALANI, I.C.S., Municipal Commissioner, Bombay City.*

1. *The Chairman:* Mr. Kirpalani, you are the Municipal Commissioner for the City of Bombay?—Yes, my Lord.

2. Would you explain to us what your purpose is in bringing that box?—It is a ballot box; I understood that one of the members of this Committee wanted to see it. This is how the name of the candidate is put on the front and the symbol on the top. (He showed the box to the Committee.) The symbol here represents a book.

3. That is what is known as the symbol and cross method?—There is no cross in our voting. This is the ballot paper (showing one). It is perforated to contain as many tickets as there are seats and the voter is supposed to drop it into that box (showing the ballot box), either entire or as many slips as he wants to put in for the candidate.

4. Will you just circulate it?—(The ballot paper and the box were shown to all members.)

5. Have you any experience of the period when the coloured box system was in operation?—I do not think I have much personal experience of it.

6. The coloured box was abandoned, I understand, because of the difficulty of multi-member constituencies. Is that correct?—That is so.

7. You see no reason why the colour box system should not work in single-member constituencies and multi-member constituencies where the candidates do not exceed five or six?—I do not see any insuperable objection.

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8. I suppose it would be practicable in single-member constituencies to have, in addition to coloured boxes, the boxes marked with symbols?—Yes.

9. Now, you are very vigorously opposed to the group system in any form in a big city like Bombay?—I think there will be difficulties specially in Bombay.

10. Could you tell us quite briefly what is the special difficulty in Bombay?—Well, the population of Bombay is not altogether permanent. There is a large floating population in Bombay and there is frequent change of residence, and between the preparation of the register and the election, there are many changes, which would result in confusion in the election.

11. How would it be administratively very difficult to group people?—Is it because of the change of population and change of residence?—Yes.

12. I suppose you can take so many houses down a street and take the voters in those houses?—It could be prepared but there would be very many changes between the time of the preparation of the roll and the election.

13. In your note on the working of the Trade Union Constituency you make comments on the working of the system whereby trade unions become the electorates for representation of labour in the municipality. You say the system cannot be pronounced to be a success. Is it because there is any peculiar difficulty in working it or because the workers do not take active interest in it?—

* The views expressed by Mr. Kirpalani are entirely his own. He does not claim to represent in any way the views of the municipal corporation of Bombay.

Firstly, the trade unions do not take interest. Only 6 out of 16 sent their lists in Bombay. Secondly out of the 60 delegates who are entitled to vote no less than 49 belong to one union and they were able to swamp the election completely. And that union happened to be the Indian Seamen's Union who, I should think, have the least to do with Bombay Municipality, with the result that one union got the seats, and that union had the least to do with Bombay. So in all these respects the object of the election failed.

14. *Mr. Bakhale:* There is just one little correction that I would like to bring to your notice, Mr. Kirpalani. In your statement you have said that in the 1929 election not less than three persons out of four that were elected were not workers. As a matter of fact, there were two workers and two non-workers. Muhammad Sharan is a seaman himself and now not in active service. And then there is Muhammad Umrali and he is working for the last 16 years.—I have no personal experience of what happened in 1929. It is difficult to say whether certain people who gave up work were still manual workers.

15. Could you tell us something about the polling this year as compared with the polling in 1929 ?—That is given in one of my statements.

16. Is it less ?—It is slightly less. I think it is 56 per cent. this year and 62½ last time.

17. Do you consider this reduction in the percentage of voting was due largely to the political situation in the city ?—I cannot say largely, but it was to a certain extent due to that.

18. What can be true in the case of general elections can also be true in the case of special constituencies like the trade union constituency ?—Yes. On the other hand the trade union constituency has the same record in 1929.

19. Quite right. But if the political situation had not been the same as it is to-day, there would have been a possibility of more trade unions sending in their returns ?—That is not my impression. I do not think that the trade union constituency was in any way affected by political considerations.

20. Is it your personal knowledge or simply a guess ?—Personal knowledge. General impression formed by contact with so many people.

21. Are you aware that a fair number of trade unions are at present non-cooperating with the Round Table Conference Committees ?—I do not know.

22. Then you raised another point, namely; that only one union practically swamped the whole elections this year. Supposing that an arrangement could be made under which seats are reserved according to the importance of the industries or the number of workers working in these industries, do you think that this defect can be remedied ?—I think it will be a very complicated system by which to reserve seats for different types of unions.

23. But if it can be arranged conveniently then the defect can be cured ?—I do not think it can be conveniently arranged.

24. Assuming that it can be conveniently arranged ?—Assuming anything, anything can be done ; but it is not possible.

25. Suppose one is reserved for textile union, another for seamen and so on. There should not be any insuperable difficulty ?—It is possible.

26. Then in that case this particular objection can go ?—Yes.

27. *Diwan Bahadur Ramaswami Mudaliyar:* What is the largest number of voters for a ward you have got in the Bombay Corporation ?—The largest number of voters seems to be about 34,000.

28. For these 34,000 voters how many presiding and polling officers do you employ ?—We had a total of 190 people working in the polling stations in all capacities.

29. How many seats had to be filled up in that election ?—16 in that particular ward.

30. I suppose the large number is necessitated by its being a large multiple constituency. Has the number of polling officers anything to do with the number of seats to be filled ?—It depends on the number of voters, not so much on seats.

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31. Can you explain why you should have 190 officers for recording the votes of 34,000 people ?—We split up the constituency according to the different communities in order to facilitate voting and then we give a certain number of votes to each clerk.

32. How many ?—About 225 to 250.

33. Who issues the polling ticket ?—The ballot clerk. As soon as a voter goes to the poll clerk, he ticks off his name and issues the ballot paper ?—There is an earlier stage at which the voter goes to what is called the slip clerk. He finds out his name and gives him a slip. Then he goes into the second compartment to the ballot clerk. This slip he takes and on finding out the name, he issues the ballot paper. Then he goes into the ballot room.

34. Can you tell me how many slip clerks and how many polling officers there are ?—The slip clerks are very few, six or so.

35. Why do you find it necessary to have one polling officer for 250 voters. Could he not do more ?—I believe he could.

36. In your counterfoil you have a column for taking thumb impressions. Does that delay the issue of the ballot paper ?—Partly.

37. That is for identification ?—Yes.

38. Did you have any complaints in the last election about impersonation ?—Yes, there were a number of complaints but they did not materialise because the people who put in the complaints did not think it worth while to press the matter.

39. Did you have any complaints that the cards you had given the voters were taken back and sold outside ?—Yes.

40. Is that a serious defect in the method of polling ?—It is not serious ; cases are very few indeed.

41. *Major Milner :* What was your particular job before you became a Municipal Commissioner ?—I was a Collector.

42. In Bombay or elsewhere ?—Elsewhere.

43. When you first discussed the matter of the group vote you had one or two objections, the principal one being, as I understood you, of keeping up the rolls ?—Yes.

44. How often do you overhaul your electoral rolls at present ?—Every three years.

45. You have an election only every three years ?—But there is constant revision going on.

46. I don't see that there is any more difficulty in keeping up the group rolls than in keeping up at present the electoral rolls ?—Changes in the group roll are considerably more ; you are taking the whole population as against a fraction of the population to-day.

47. That is only a question of arithmetic ?—I don't say that under any conceivable circumstances it could not be done but taking things as they are at present it is more or less impossible.

48. I don't know what you mean by the generalisation " taking things as they are at present ", but if you put on double the staff or whatever proportion is necessary you could keep up the group rolls precisely in the same way as you do the present rolls ?—It would mean an increase to the staff.

49. What is the limit of staff? You gave two reasons, one is "limit to the staff employed". I suggest to you that is more conditioned by reason of the money to be spent?—I suppose so. "

50. Democracy must be paid for. I suggest that if money is forthcoming over a number of elections there would be no more difficulty in keeping up the group system rolls than there is in the present system?—If all the difficulties are got over then anything can be done.

51. What other difficulty is there than expense?—It boils down to expense, but I think in practice it is difficult to keep up the correctness of the rolls.

52. It is proposed to have these elections once in 5 years? You already have an overhaul from house to house once in every three years; that being so I suggest it is the easiest thing in the world to put 10 people on the roll in place of one if you have the staff?—I think, having had something to do with the rolls, the difficulties are very great.

53. This is a very serious matter and I suggest to you that the reasons you have given are wholly inadequate and illusory. Can you give me any fact to the contrary,—to put 10 people on the rolls where you have one at present?—My main argument is that I have been connected with the preparation of rolls for 140,000 people and I have seen that it is a very difficult thing to do, and if we are going to have a roll of 12 lakhs of people in Bombay, I fear it is beyond our resources.

54. I regard that as a confession of failure. On the matter of Trade Unions I understood you to say that as three representatives of one Union were elected, in your view that was not the purpose intended, or something of that sort. Have you looked at the matter from this point of view,—representation of labour in this connection is agreed by everyone to be by way of function as opposed to the function of capital; that being so I suggest to you that the representative of one Union, whoever he be, if he is a competent and fair man and desirous of doing good, can represent the labourers of that Union or any other Union?—If that is so why should labour have any special representation at all?

55. I think you will agree with me that adequate representation (bearing in mind employers who are represented by Chambers of Commerce) can only be achieved through properly constituted Trade Unions?—I don't think it should necessarily be so. In Bombay we have parts of the city inhabited by labour classes who belong to the Mill industry and I think if they are so minded they can easily return persons representing their interests. One man returned by trade unions on a previous occasion has now been returned by one of the ward constituencies.

56. How many Labour men are there on the Bombay Corporation?—Apart from Trade Union people it is difficult to say who is a labour man and who is not, because labour is being represented by non-workers. I say that one of the representatives now was a representative of a Trade Union. He is definitely a labour man.

57. How many men are there who profess to represent labour?—I can say, at least 3 or possibly 4 are definitely labour men out of a total number of 94 elected.

58. That is a small proportion?—Yes.

59. On technical matters and the way you deal with polling, how many polling booths have you throughout the city?—7.

60. And having your elections every three years you elect three councillors for each ward?—No.

61. Does the whole Council retire every three years?—Yes.

62. You have here a more complicated system than we have in England. We in England only return one councillor while here you return three and you seem to work it very well?—I don't say 3; it is anything from 8 to 16.

63. Every voter has to exercise from 8 to 16 votes and you say they do that with reasonable ability ?—I think so.

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64. Would you have any difficulty in getting competent officers to preside over polling booths to poll the whole of the adult population in Bombay ?—Perhaps not.

65. May we take it then that so far as the polling Superintendents are concerned you could find sufficient ?—Yes, a couple of hundred.

66. Can you find an appropriate number of polling clerks for the whole of the adult population of the city of Bombay ?—I should not like to say no.

67. I always understood that while there may be difficulty about polling officers or superintendents there was never any difficulty in getting competent clerks ?—For an electorate of a lakh and a half we have 800 clerks, so in proportion for about 5 lakhs voters we would want about 5 times as many.

68. Can you find 4,000 polling officers in the city of Bombay ? There is no doubt you could find 4,000 clerks ?—Yes.

69. Is there any further difficulty you could suggest in polling the whole of the adults in the city of Bombay ?—I have told you the difficulty of preparing the roll and if the number of booths could be multiplied.

70. Is there any difficulty in finding accommodation for 200 polling stations ?—We have seven stations ; a good many of those 200 would have to be erected. We could not find a building big enough to allow of so many people polling at the same place.

71. Cannot you take the schools and other public buildings ?—They would have to be adapted to our purpose.

72. Supposing there was only one vote to give instead of 8 to 16, that would *pro rata* increase the number of people to go to the polling booths in a day ?—Very slightly.

73. I think it would be to the extent of 4 times ?—After all a man has to drop his ticket into boxes. He drops the whole or sometimes splits his vote.

74. What is the maximum number you get through a polling booth in a day ?—Seventy-eight thousand through all the booths.

75. *The Chairman :* What do you mean by polling booth ? How many compartments would there be and polling boxes ?—There are 20 compartments in the largest booth.

76. *Major Milner :* That would mean under the present conditions you get 15,000 in one day ?—Yes, in one booth.

77. If you were given a year's time to make your arrangements, engage buildings, readjust the rooms, etc., would it not be a comparatively easy matter to poll the whole adult population of this city ?—I do not think it feasible : from my own experience I would say it cannot be done.

78. Have you tried it ?—I have tried a section and seen the difficulties.

79. I am anxious for information. I have put certain propositions to you with 9 out of 10 you have agreed ; the only one with which you have not agreed is with regard to the electoral roll and I have invited you courteously to tell us the reason ?—I think I have answered to the best of my ability. All these calculations may be perfectly true but when you come to deal with the actual facts they don't work out as you wish them to.

80. They may not work out perfectly for the first time. Don't you think if given instructions to do that after one or two elections, or three elections, the matter could be organised ?—I should certainly try. I don't say I would succeed.

81. *Khan Bahadur Aziz-ul-Huque :* If the franchise was reduced to Rs. 5 you would get double the present number on the electorate ?—Yes, between 2 and 3 lakhs.

82. If Rs. 5 was made the basis would that bring in a large section of the labouring population ?—It would be very much bigger than at present.

83. And the depressed classes would be represented ?—They would be, but perhaps not adequate to their numbers.

84. Would it bring out a large section of women voters ?—The present strength of women voters on the Municipal roll is about 6 per cent. of the population ; with the reduction I should say it would work out to about 15 per cent.

85. You have no experience of Borough Municipalities ?—No recent experience.

86. *Mr. Chintamani :* What precautions do you take to identify the voters ?—At two stages the voters are asked their names and addresses ; that is all.

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87. *Lord Dufferin :* Tell me roughly what the cost of an election is first to the candidate and then to Government ?—So far as Municipal elections are concerned we do not call for any return of expenses. It does not amount to much ; a few hundred rupees.

88. Who pays ?—The candidate himself.

89. Does he pay for the printing and the polling ?—No. The total expense to the municipality comes to about Rs. 50,000.

90. And if you double your electorate it would cost about double that ?—Yes ; we would have to make arrangements for far more booths. The expenses may not be proportionate ; I should say it would be about 1½ lakhs.

91. Is it your experience that in the system of multiple member constituency the candidate does not bother much about the constituency as a whole but contents himself with canvassing in his own community knowing if they plump for him he is bound to get in ?—It does happen, but not always.

92. It strikes me that under your system it is the majority that is under a disadvantage. I see that a Hindu majority of 65 out of 94 is turned into an actual minority of 45 or 49, the actual number of seats held. Is there no feeling of grievance about that ?—I have not noticed it.

93. We have been told that if the qualification was reduced to Rs. 8 wards E, F, and G would all have a very large majority of labour voters ; that they would practically become labour seats ?—It is difficult to say. I think if labour voted solid they would be very predominant in those three wards.

94. *Mr. Butler :* If the franchise was reduced to Rs. 5 what percentage of the city would it bring in of the adults ?—About 25 per cent.

95. Would that give sufficient representation to the minorities like labour ?—I think so.

96. With regard to trades unions, do you imagine that one day the system of using the trades unions would be better than it is now ?—Yes, I should think so.

97. Would it be as satisfactory as the alternative which you just suggested of lowering the mark ?—I am for lowering the franchise and letting everybody come in from there.

98. How soon do you think it would be, supposing the trades unions were given every opportunity, of them becoming a unit ?—That is rather difficult to say.

99. Within the next three elections ?—I imagine so ; it is very difficult to be precise.

100. Would you like some areas notified as labour seats ?—There would be no need to notify them in the case of the franchise being reduced.

101. That would automatically go ?—Only for labour ; it may be necessary for the depressed classes.

102. *The Hon'ble Mary Pickford :* Do you make any special arrangements for women at the Bombay Municipal elections ?—No.

103. Has any demand been made for it ?—No.

104. So far as you know there is satisfaction with the general arrangement ?—I think so.

105. Can you tell me the percentage of women voters who go to poll ? Do you keep statistics ?—We have not got any at present. It may be possible to compile them later on.

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106. *The Chairman :* Were there any considerable number of women voters in the last general election ?—I can only answer from my observation. I cannot say there were a large number ; there was an appreciable number.

107. They voted without difficulty ?—Without the least difficulty.

108. *Lord Dufferin :* If the franchise is lowered by half you say it would include 25 per cent. of the population. That practically means 100 per cent. of adult males ?—It would come to about 3 lakhs which is 25 per cent. of the total population. It would be under half, about 40 per cent. of the adult population.

109. *Mr. Haji :* Have you got the figures to show how many Hindus and how many Muhammadans voted in the last election ?—No.

110. Are you aware of the fact that the Hindus abstained from voting ?—That is not correct.

111. The Congress abstained ?—No.

112. It may be possible there was a large percentage of Muhammadans and a smaller percentage of Hindus ?—No.

113. There were 97 per cent. of Muhammadans ?—I am not in a position to say that.

114. *Dr. D'Souza :* What is the difference between the roll as drawn up by the Government for the Bombay Legislative Council and that drawn up for the Municipal elections ?—You mean in numbers. I think we had on the last occasion about 18,000 voters who were not on the municipal roll but were on the Government roll. The qualifications are different. The Government roll includes income-tax payers and those who pay land revenue and retired military officers.

115. Is not the roll as prepared by Government the municipal roll *plus* the income-tax payers ?—Income-tax payers and retired military officers.

116. Mainly it is the corporation roll ?—That is so.

117. *Rao Bahadur Angadi :* I want to know whether this feature of minorities securing a large number of seats, that is, more than they are entitled to on the population basis is of this year's elections only. Figures have been supplied to us which show that the Muhammadans though they were entitled to 17 seats on the population basis yet they were able to capture 24 seats. I want to know whether this is a peculiar feature of this year's election only or whether it is generally so ?—I am speaking of my experience of this election only. But that does not apply to Muhammadans only.

118. About other elections have you got any figures ?—Parsi representation has always been very much in excess of the population basis. You will see from the statement that the number of seats to which they would have been entitled on the population basis was about 4½ and their representation has been in the neighbourhood of 15 or 16 or perhaps more.

119. I put this question because my friend Mr. Haji said that this time the Muhammadan voters voted solidly and the Hindu voters refrained from voting. I wanted to know whether in normal circumstances this disparity exists or not ?—I can't say for the previous elections.

120. *Rao Bahadur Asavale :* Your statement shows that out of 65 seats to which Hindus were entitled on the population basis only 45 are actually held. Out of this 45 how many belong to the backward classes ?—I think about 10 belong to the backward classes.

121. May I know the names of those men ?—I can't give you their names, but I can tell you that 2 are Agris, 2 Mahrattas, 2 Kamatis and 1 Sonar.

122. Is Sonar a backward community ?—I have used the official classification. For the purpose of appointments and for various other purposes they are regarded as backward. Out of the two Mahrattas, I did not want to be personal, one of them is yourself.

123. The Kamatis don't come under Mahrattas and allied castes ?—I consider them as backward.

124. The population of the Mahratta backward classes is about 4½ lakhs ?—I can't say that.

125. You don't know the population of Bombay ?—I know the population of Bombay, but I do not know the population of every section.

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Memorandum submitted by the BOMBAY CHAMBER OF COMMERCE.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

1. (*a*) to (*e*). It is not possible to put forward any definite means by which the electorate could be increased so as to enfranchise not less than 10 per cent. of the population but this end might be attained if the franchise were extended to all persons paying direct taxes of any description to Government or to local bodies, the term direct taxes to include by definition rent, provided that the existing rent qualification is not reduced by more than one-half. The present restrictions embodied in rule 10 of the Bombay Electoral Rules should continue to apply. The idea underlying this suggestion is that evey one who pays direct taxes, whatever their form, and so has a stake in the country, should be entitled to vote. It is considered that people with this qualification will be as capable of discriminating between candidates as the existing electorate. Such an electorate should be administratively manageable as the same staff who collect the revenue should be able to prepare and maintain the electoral rolls, and the same data will be required and available in each case. No figures are available at present on which to estimate the number who will thus be enfranchised but if after obtaining these it was found that the number would be likely to prove unwieldy it would be necessary then to consider whether some system of grouping would be practicable and desirable.

(*f*) *and* (*g*). On the assumption that the recommendations in answer to (*a*) to (*e*) are accepted, the suggestion contained in (*f*) of separate group electorates for unqualified voters is not favoured as it is considered that the suggested widening of the direct franchise goes as far as is wise as a first step towards the goal of adult franchise which the Round Table Conference Sub-Committee has laid down. To adopt the group system so as to include all unqualified voters is in reality a disguised form of adult suffrage for which it is thought India is not ripe.

The Committee believe that the suggested group system contains all sorts of practical difficulties which would rule it out.

(*h*), (*i*) *and* (*j*). The committee do not consider that it would be advantageous and they doubt whether it would be feasible to abolish all existing qualifications for voters, and to extend a system of the nature described in question (1) (*f*) to all adult voters confining the electorate for all constituencies to secondaries chosen by groups of primary voters.

Memorandum by the BOMBAY CHAMBER OF COMMERCE. [*Continued.*

2. FRANCHISE QUALIFICATIONS.

2. (*a*) The Bombay Provincial Committee which was appointed to co-operate with the Indian Statutory Commission, pointed out that the total population of the Bombay Presidency was 19,291,000 of which 4,440,000 were urban, say, 22·9 per cent., while 14,851,000 were rural, say 77·1 per cent. The total number of electors was 778,000 of which 240,000 were urban and 528,000 were rural. The Committee were of opinion that steps should be taken to widen the electorate so as to give the rural population larger representation. They pointed out that certain important sections of the population, such as the depressed classes and the labourers, were not adequately represented and that the qualification for the franchise in rural areas was comparatively higher than that in urban areas. For instance a man paying an assessment of Rs. 32 or cultivating land assessed at that figure is economically in a better position than a resident of an urban constituency paying an annual rental of Rs. 36. The Bombay Provincial Committee recommended that the rural qualification should be halved.

The Committee agree with the abovementioned remarks of the Bombay Provincial Committee and consider that the suggestions put forward in answer to questions (1) (*a*) to (*e*) would go a long way towards correcting the existing disparity.

(*b*) The Committee are not in favour of the suggestion that in communal electorates each community should be given a voting strength proportionate to its numbers as this would inevitably mean a different basis of qualification for each community. Assuming that communal electorates are to be retained there can be no question of fixing the proportion of voters to population of each community. Attention is drawn to the remarks of the Government of India on this point in their Despatch on the proposals for Constitutional Reform, dated 20th September 1930, page 23.

The Committee are in favour of separate electorates and with their retention the suggestion referred to above has no importance at all.

In the case of joint electorates with reservation of seats it would be quite impracticable to give effect to the suggestion.

In the case of joint electorates without reservation of seats it would be essential to give effect to the suggestion but this could only be done either by adult suffrage or by substituting indirect or group election for all other franchise qualifications.

(*c*) As stated in answer to question (1) (*a*) to (*e*) the Committee are of opinion that the franchise should be extended to all persons paying direct taxes of any description to Government or to local bodies. This is in effect a widening of the existing property qualification and they consider that it is a more suitable qualification than any other at the present stage.

(*d*) The Committee are not in favour of the introduction of any form of educational qualification in a general constituency.

(*e*) The Committee are in favour of retaining the existing Military service qualification and would agree to its extension so as to include service in the Auxiliary and Territorial Forces provided the qualification applied to those who had been borne on the strength for a reasonable period, say two years.

3. WOMEN'S SUFFRAGE.

3. (*a*) *and* (*b*) On this point the Committee are in general agreement with the opinion of the Government of India in their Despatch on Constitutional Reform of 20th September 1930, pages 24 and 25. They are definitely not in favour of the suggested special qualifications for women but they agree that any extension of the existing franchise or any new qualification applicable to men should equally apply to women.

Memorandum by the BOMBAY CHAMBER OF COMMERCE. [*Continued.*

In spite of the need for encouraging the progress of the women's movement in India the Committee do not consider it equitable or logical to grant women an extension of the franchise by applying to them the group system, which they do not recommend for men.

(c) The Committee are in favour of this suggestion as they feel it would ensure women being on the Councils to help on the progress of the women's movement.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The Committee are of opinion that the only communities that should be included as belonging to the Depressed Classes are those classified as "Untouchables" in the "Report of the Depressed Classes and Aboriginal Tribes Committee, Bombay Presidency, March 1930."

The Committee think that the extension of the franchise which they favour would substantially increase the number of qualified voters in the Depressed Classes, but not to such an extent as would enable them to secure representatives of their own choice in the general electorates. It is not even felt that the number would be sufficient to warrant their being constituted the direct electorate of a separate constituency though if this were proved to be possible it would, it is felt, be the best solution.

A number of the Committee consider that at this stage there is no practical alternative to representation by nomination which should therefore be continued. The minority, however, are opposed to this as they feel that it is not a solution of the difficulty which is likely to be acceptable to the Depressed Classes or to any other section of opinion but they are unable to offer any practical alternative, unless the application of the group system should prove feasible, which they doubt.

5. REPRESENTATION OF LABOUR.

As far as this Presidency is concerned this question is narrowed down to the representation of organised industrial labour in the cities as the Committee are not aware of any plantation enterprises where labour could be organised and do not consider that agricultural labour in the general sense can be organised. The Committee are of opinion that by a wide extension of the direct franchise such as they have advocated sufficient number of labourers should become enfranchised to give them a proportion of votes in the general constituencies adequate to secure for themselves the election of their own representatives. If, however, it can be shown that the desired result would not thus be obtained it is felt that separate representation should be provided for labour.

In regard to the method by which representation might be obtained it is suggested that in the case of organized labour in industrial areas it might be done through recognised trade unions, provided that the electoral rules in this connection required from Trade Unions an adequate standard of membership and financial stability.

5 (*a*). REPRESENTATION OF SPECIAL INTERESTS.

The Committee are of opinion that all special interests at present represented whether by election or nomination should continue to be represented in the new Legislature.

The present methods of election to the Commerce and Industry Constituencies are satisfactory except that amendments in the Electoral Rules are necessary to overcome the difficulties that have been experienced at practically every election and by-election since the present electoral rules came into force. The electors in the case of the Bombay Chamber of Commerce constituency are really the firms

who are members of the Chamber but the electoral rules limit the candidates to persons whose names are on the electoral roll. In practice therefore each member is called upon to nominate one representative to vote and act on behalf of his firm in connection with the elections. The names of the persons so nominated are registered on the roll and they comprise, of course, the only persons who may stand for election. The frequent changes in the personnel of partners in firms and directors of companies owing to absence on leave, etc., often renders the electoral roll out of date within a very short time of its being prepared with the result that many members are disfranchised at the time of a by-election because the particular partner or director whose name appears on the roll is absent from Bombay. This question has been the subject of correspondence between the Chamber and the Government of Bombay on several occasions in the past. In 1927 the Government of Bombay submitted, under cover of Legal Department's letter No. 562 of the 11th February, a note explaining the difficulties experienced by Commerce and Industry Constituencies and suggesting certain alternative proposals for the amendment of Rule 7 of Schedule II of the Bombay Electoral Rules. The Chamber agreed to the first alternative amendment under which the electoral roll would give the names of firms (instead of individuals as at present) each firm casting one vote through an agent, the qualification for a candidate being that he should be one of the persons authorised by any firm on the roll to take part in the business of the association.

II.—THE FEDERAL LEGISLATURE.

6. (*a*), (*b*) *and* (*c*) The Committee are not in favour of the proposals of the Federal Structure Committee that the Upper Chamber of the Federal Legislature should be elected by the Provincial Legislatures and the Lower Chamber by the direct votes of territorial constituencies. They confirm the opinion expressed by the Committee of the Chamber in their Memorandum on the Recommendations of the Indian Statutory Commission, that election to the Federal Lower Chamber should be by the Provincial Councils by a single transferable vote this being, they understand, the surest way of giving to the various interests and communities the same proportion of representatives in the Central Legislature as they would have in the Provincial Councils.

The Committee agree with the Indian Statutory Commission that it is essential to the working of the Central Government that the diversities of provincial needs and opinions should find real expression in the Central Legislature, and in spite of the weighty arguments in favour of direct election put forward by the Government of India and in other quarters, they consider that election by the Provincial Councils is the best means of securing this end.

If this view does not prevail and the eventual decision is that election to the Lower House should be by direct voting the Committee are strongly of opinion that the franchise qualifications for the Lower House of the Federal Legislature and for the Provincial Legislatures ought not to be the same. They would not be in favour of widening the franchise to anything like the same extent as for Provincial Councils.

In the case of the Upper House of the Federal Legislature the Committee are of opinion that the representatives should be elected by direct election in the same manner and with the same franchise as is at present in force.

The Committee feel that it is by such direct election with a narrow franchise that the services of the right type of man will be best obtained so as to make the Upper House, as it should be, a steadying influence on the Lower House.

7. The Committee consider that those special interests, which are likely to be represented in such small numbers on the Provincial Council that they will be unable

to secure representation in the Lower House of the Federal Assembly by the method of election which the Committee have advocated above, should have one seat each reserved for them out of the total number of seats allotted to the Presidency. The special representation of Commerce is a case in point. The representatives of the Commerce and Industries constituencies would not be in sufficient number to ensure the return of even one representative to the Federal Assembly whereas it is absolutely vital to the interests of the Bombay Presidency that at least one representative each for Indian and European Commerce should find a place in that body.

Memorandum submitted by the EUROPEAN ASSOCIATION, Bombay.

We desire to follow the lead of the Chamber of Commerce in emphasizing certain fundamental ideas underlying our answers to the specific questions asked by the Indian Franchise Committee.

1. We approve of a wide increase in the franchise.
2. We desire if possible to do this by increasing the number of direct voters.
3. We desire the continuance of the present property qualification so long as it is understood in its widest sense as including not only the ownership of landed property, but also the occupation of land or house property or the receipt of income or wages whether in cash or kind.
4. We approve of the maintenance of separate electorates at any rate for some time in accordance with the terms of the Minorities Pact concluded at the Round Table Conference.

1. PROVINCIAL LEGISLATURES.

(*a*) We feel that the franchise should be extended from 3 to approximately 10 per cent. of the total population on the general ground that democracy would appear to demand this. We make this remark at the outset for the special reason that we feel that the answer to the numerical increase to be granted is of greater importance even than the conditions on which such increase should be granted. We feel that an electorate of less than 10 per cent. would not justify the statements regarding democratic institutions made by the Prime Minister in the White Paper. Generally speaking, we feel that an extension of the franchise could be brought about on a basis which can best be described as a "stake in the country" basis. This basis corresponds exactly with the property basis suggested by the Indian Franchise Committee themselves, but not as generally understood in previous electoral regulations. This would enfranchise everybody paying any form of direct tax to Government or Local/Rural Bodies and would also include those rural dwellers who, by reason of the existing ryotwari system in the Presidency, do not pay sufficient taxes to become enfranchised. We would point out that the present rule allows any rural land owner or lessor to have a vote provided that he pays sums varying between Re. 1-8 and Rs. 3 per month and so may fairly be described as including all land owners. We think that the fairest method of thus increasing the direct tax payer's vote would be by halving the existing rent qualification for urban dwellers and including occupiers of property as well as property owners. This implies the enfranchisement of a large number of wage earners and land workers and these expressions must necessarily be properly defined. We have not sufficiently accurate data to be certain whether the increase which will result from the action which we have suggested would amount to a total of 7 per cent. and we would suggest that the definition of the words "Occupier of land" and "Wage earner" should be left

Memorandum by the EUROPEAN ASSOCIATION. [*Continued.*

to the Indian Franchise Committee themselves who will be in a position to regulate by their definition the size of the increase. In this connection we are fully aware that we are suggesting that a man who has at present no liabilities to the State in the form of taxation should receive a vote, thus putting him on an exactly similar basis as a man who is already subscribing to the finance of his country. The system, however, being as it is, we do not see how this can be avoided. Finally, we feel that, should the suggestions which we have made produce an increase of more than 10 per cent, the less urgent of our suggestions should be so altered as to bring the number down to 10 per cent.

(*b*) We do consider that such an electorate will be capable of casting an intelligent vote. It is true that an enormous percentage of agriculturists are illiterate, but they are extremely shrewd in matters which affect themselves and their business and would, we feel, be quite capable of casting a vote in their own interests. This is all that is accomplished in the most advanced democracies, and quite sufficient to warrant the giving of a vote in this country.

(*c*) We do consider that such an electorate would be administratively manageable, though it is difficult for us, without more information, to state exactly ways and means. We agree with the Chamber of Commerce that the same staff who collect revenue should be able to prepare and maintain the electoral rolls, as the same data is required and available in each case.

(*d*) This does not arise, as we have answered (*b*) and (*c*) in the affirmative.

(*e*) We do not consider it practical or desirable to enlarge the electoral roll still further. The system of grouping is obviously intended in dealing with cases of universal adult franchise, and is extremely open to abuse.

(*f*) As we do not agree with universal adult suffrage nor at any rate for some time with the system of grouping, this point does not arise.

(*g*) This point does not arise.

(*h*) This point does not arise.

(*i*) This point does not arise.

(*j*) This point does not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) At present the rural population of the Bombay Presidency amounts to 77·1 per cent. of the total, while the rural voters comprise rather less than 70 per cent. of the entire electorate. This disparity, moreover, is aggravated by the fact that in the majority of cases special representation tends to support the urban point of view. We are in favour of rectifying the disparity, and consider that our recommendation in 1 (*a*) will go some way to doing so.

(*b*) We are not in favour of this suggestion as its adoption would necessitate the acceptance of a different basis of qualification for different communities.

(*c*) In answering this in the affirmative we would refer to our answer to 1 (*a*), stressing at the same time the importance of occupation of land or house property (this latter being the equivalent of paying rent in kind).

(*d*) We are not in favour of introducing any form of educational qualification in a general constituency.

(*e*) We are in favour of retaining the existing Military Service qualification, and also are in favour of extending this to those members of the Auxiliary, Territorial and University Training Corps Forces who can produce a certificate that they have completed two years approved training.

Memorandum by the EUROPEAN ASSOCIATION. [*Continued.*

3. WOMEN'S SUFFRAGE.

(*a*) The existing proportion of women to men on the provincial electoral rolls is evidently unsatisfactory and we consider that means should be devised to increase the proportion.

It has been proposed that wives and widows (if over 25 years of age) of men entitled to vote under the property (or any agreed) qualification should be enfranchised, and that in addition an educational qualification should apply to women as well as to men.

Although we have hesitated to approve of the former suggestion as it virtually amounts to enfranchising two individuals on one qualification and also because of the dubious status of the widow, in certain communities, we feel however that the women's electorate should be increased extensively and, in the absence of more acceptable suggestions, the above should be given very careful consideration in spite of the objections we mention.

As we do not recommend that an educational qualification should be accepted for men, we do not consider the application of such a qualification to women.

(*b*) We are not in favour of a system of group representation.

(*c*) If wives and widows of men entitled to vote are enfranchised, which appears to us to be the utmost limit to which women's suffrage can be extended at the present juncture, it is possible that women will still not obtain adequate representation on the Legislatures. In such a circumstance, as other proposals are lacking, we would turn to the suggestion that as a *temporary measure* Legislatures should co-opt women members to an extent not exceeding 5 per cent. by a system of proportional representation. Such an arrangement should continue until women are in a position to obtain representation equal to or exceeding 5 per cent. by the normal means of election.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

We would include as belonging to Depressed Classes only those untouchable classes as shown in the Starte Committee's Report. These should be given separate electorates.

5. REPRESENTATION OF LABOUR.

We feel that the increasing of the franchise as suggested in the answer to question 1 provides a sufficiently wide basis to include representatives of labour both in urban and rural districts. We agree, however, that labour constituting as it does 10 per cent. of India's total population, without taking depressed classes into consideration, is entitled to still further representation. In our opinion this object which should be always in the forefront can only be put into practical effect when labour organisations such as Trades Unions for urban and Kisan Sabhas for rural districts have been properly developed. As soon as these representative bodies are properly organised and constituted, labour representation should undoubtedly be increased. While we agree with a great deal of what is laid down in the Appendix to the Indian Round Table Conference on labour under the new constitution, we cannot agree that the only solution lies in universal adult suffrage.

6. THE FEDERAL LEGISLATURE.

(*a*) We do not agree with the Federal Structure Committee's proposal buy consider that the Upper Chamber of the Federal Legislature should be elected by direct election in the same manner and with the same franchise as for the Council of State to-day.

Memorandum by the EUROPEAN ASSOCIATION. [*Concluded.*

(*b*) As regards the franchise qualifications of the Provincial Legislatures, we would refer to our answer under 1(*a*). In the case of Federal Legislature, we consider the present franchise should remain unaltered.

(*c*) We consider that the Lower Chamber of the Federal Legislature should be elected by the Provincial Legislatures by a single transferable vote.

BOMBAY.

Dated 11th March, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE BOMBAY PROVINCIAL FRANCHISE COMMITTEE.

Mr. G. L. WINTERBOTHAM, M.L.A., Representing the Chamber of Commerce.

Mr. R. C. THOMAS
Mr. J. D. BOYLE
Mr. C. P. BRAMBLE } Representing the European Association.

1. *The Chairman:* You, Mr. Winterbotham, speak on behalf both of the Chamber of Commerce and the European Association?—I represent the Bombay Chamber of Commerce and I understand my friends Messrs. Thomas, Boyle and Bramble wish me to speak on behalf of the European Association where the views of the two bodies coincide.

2. Your association put forward proposals on the basis that anybody who pays any kind of direct tax, local or provincial, should be enfranchised?—*(Mr. Winterbotham):* That was our original idea.

3. Have you got any figures showing the numbers that will enfranchise?—Following this proposal up in the local committee it was discovered that there were no figures available and that the collection of figures would take a very long time. For that reason I was unable to follow it up.

4. The proposal is very similar to the one put forward by the Provincial Franchise Committee and the Government in Madras, the basis being that anybody paying any kind of tax should have the vote?—Our difficulty in following up our suggestion was the impossibility of obtaining figures. Probably Mr. Covernton will be able to speak about it.

Mr. Covernton, do you think you will be able to get more details?—The Secretary of our Committee just tells me that the last figures have already reached our hands. We will give you the figures.

Will you have your Committee consider the matter?—Yes, Sir.

5. I see you are against the group system?—*(Mr. Winterbotham):* Yes.

6. In any form?—Possibly not as an expedient in special cases.

7. Bombay seems to find considerable difficulty in enfranchising any considerable number of women?—That is so.

8. Why is it so difficult here? The Prime Minister and others have strongly urged that better representation should be secured for women?—We had that in view in examining all the suggestions put forward. It seems to me that there are very grave objections to all the suggestions made.

9. I see that the European Association hesitates to approve of the provision for enfranchising wives and widows?—*(Mr. Thomas):* If there are no

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better suggestions forthcoming, the one that has been put forward may possibly have to be adopted.

10. Why do You object to literacy as a basis of qualification for women's vote?—(*Mr. Winterbotham*): It would enfranchise only a comparatively small number of women and it would also work very invidiously, because a large number of educated women would be quite unable to produce any proof of literacy qualification. They may possibly have none.

11. The proposal made elsewhere is that any woman who is able to write a letter and certified to that effect by a schoolmistress of sufficient standing should be accepted as a literate woman?—With due deference, I do not think that it would work among the higher classes of women in the Bombay presidency.

12. I see that you are in favour of trade unions being made the basis for the special representation of labour provided they are properly organised?—We cannot think of any better way for giving representation to labour.

13. Turning to special interests, what modification of the rules would you have, to make the Chamber of Commerce elect their representatives on the basis of each firm having a vote? Have you any objection to franchise being given to firms and not to individuals?—I cannot speak on that without looking up back papers. One alternative was put before us by the local Government and we accepted it.

14. What representation the Chamber of Commerce as a special interest should, you think, have in a house of 200 members?—Double what they have now. The European Association should also have 4 instead of two.

15. What is their present representation?—Two.

16. They also claim representation in the same proportion?—Yes roughly.

17. You do not make any definite proposal for the franchise to the Federal Legislature beyond merely saying that there should be higher qualification for it than for the Provincial Legislature?—We do not support direct election to the lower house of the Federal Legislature and so we do not put forward any definite view about that.

18. *Sir Zulfiqar Ali Khan:* In your memorandum you say that you are not in favour of introducing any special qualifications for women? What are your reasons for it?—At present at any rate it would be exceedingly difficult for those people who are educated to produce the required certificate. That is only a minor consideration. Though a wide extension of the franchise is desirable you can secure it without an educational qualification which in itself is not desirable, because we do not accept literacy as a test of intelligence in India at present.

19. Do you think that education will not be the criterion for intelligence?—I think not.

20. Well, in every society, education is considered to give a man a superior status. Don't you think that an educated man would be a better voter than an uneducated man? That is the commonsense view?—Is not there all the difference between the theory and the actual fact in India?

21. In practice, we understand that an educated man has a better understanding of political issues and is a better man than a man who knows nothing about politics?—But the position in India is that education is in a very backward state and if you introduce an educational qualification at the present moment, it will work most unevenly against the ideal of distributing the votes as evenly as possible throughout the different sections of the population.

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22. Then you should have a lower standard of education for the franchise, but not deny educational qualification the right for vote?—As a general qualification, I would eliminate it for the present.

23. You say that if labour is to be represented, it should be through registered trade unions?—That is our suggestion. We can think of no better method for the moment.

24. Well, if labour is not organised, how will you secure representation for them?—Our belief is that in big cities like Bombay where labour is not organised, the lowering of the franchise would enable workers to get their representatives in through the ordinary electorate.

25. But Bombay is not the only place where we are concerned with labour?—There again, the lowering of the franchise will enfranchise a very large number of labourers.

26. *The Hon'ble Mary Pickford:* Would you tell us why a literacy test would not be acceptable to you?—I speak with a certain amount of diffidence on the subject, as I have only hearsay evidence. My educated Muslim friends tell me that it would not be acceptable to their women. They may have been educated in their houses and will have no special certificates to produce.

27. There I agree, but if there is no examination test, but only a sort of test regarding one's ability to read and write, it will possibly help women who have been educated, to vote?—Who would grant the certificate?

28. It would be either a certificate from a magistrate and, if a purdah lady would not come before a magistrate, she could then be certified by a responsible woman teacher or inspector. You will have to select the person who could certify?—Well, I adhere to my opinion that it would not be acceptable to my Indian friends who would be better qualified to answer the question than I am.

29. The difficulty is that women in large numbers would not come in under any other qualification?—I quite see that.

30. It is only a device. I see your Association say that as other proposals are lacking as a temporary measure they would agree to the legislature co-opting women? Would you explain what you mean?—Is it that you dislike co-option?—(*Mr. Thomas*): Otherwise, we are afraid that there may not be any representation at all.

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31. *Mrs. Subbarayan:* Would you tell me why the women voters number so few in the European constituency both in the city and in the mufassal?—Out of a total of 2,938 members there were only 69 women voters (*Mr. Thomas*): They are not residents here for any length of time. It requires six months' residence before they can get on the electoral roll and with frequent visits to England, the matter is probably overlooked.

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32. *Sir Muhammad Yakub:* Mr. Winterbotham, how long have you been in India?—20 years.

33. Have you had ample opportunities of mixing with the Indians freely?—I think I can answer that without qualification. Yes.

34. What do you think would be the result of the enlargement of franchise on the quality of the members?—My fear is that it would result in a distinct deterioration.

35. Can you suggest any means by which in spite of the enlargement of the franchise there might not be this deterioration?—I think that is up to the people of India themselves. I cannot suggest any means. It will depend on whether men of standing will take the trouble to go out and canvass votes.

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36. *Mr. Butler:* What are the Kisan Sabhas?—(*Mr. Boyle*): They are not groups formed to express any political point of view. As far as I know they are merely formations of mutual aid societies or co-operative societies.

37. How far have they developed?—Very little indeed.

38. And they would not for many years be ripe for representation of labour?—Not at present.

39. Do you think the agricultural labourers in the countryside should be formed into groups to represent agricultural labour?—Our view of that is that the needs of the agricultural labourers are not different from the needs of the ordinary agricultural voter and that therefore the agricultural labourer as such does not require special representation.

40. You have stated that you would be willing to have groups for specific purposes. What purposes had you in mind?—(*Mr. Winterbotham*): The enfranchisement of the depressed classes.

41. That will perhaps cover a large proportion of agricultural labour?—Hardly a very large portion in view of their numbers. Only some of them.

42. *Lord Dufferin:* Does your Association intend that labour should not be represented at all until trade unions are properly developed?—(*Mr. Boyle*): No. At present it is not practicable for trade unions to represent labour, and the lowering of the franchise will in any case give many labourers a vote.

43. So you would not give any special representation to labour?—At the present moment it is not possible to give. Mr. Winterbotham thinks that labourers agree with the suggestion of the European Association that they will get proper representation with the lowering of the franchise. Evidence on this point, however, is conflicting. But I understood from the Municipal Commissioner yesterday that he was of opinion that lowering of the franchise would enable labour to get sufficient representation. The figures for this are lacking.

44. Do you want special representation for Europeans as such?—(*Mr. Winterbotham*): Yes.

45. Apart from the Chambers?—Yes.

46. How many seats do you want?—(*Mr. Bramble*): In the proportion that we now have.

47. You say you want one representative each in the Federal Assembly for Indian and for European Commerce. Don't you think that one would be quite capable of representing both?—(*Mr. Winterbotham*): It depends on the man.

48. You would not be satisfied?—No.

49. *Mr. Chintamani:* Is there any difference between the European Association and the Bombay Chamber of Commerce in their political opinions and outlook?—They vary considerably from time to time.

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50. May I know why the memorandum was presented by the Committee of your Chamber and not by the general body of the Chamber?—Because the Committee of the Chamber manages the Chamber's affairs.

51. Are there any Indian members in the Chamber?—Yes.

52. And in the Committee?—No.

53. Is it a fact that sometimes you take the opinion of the Committee and not of the Chamber on account of the responsible composition of the Committee?—No.

54. Is it a fact that you consulted the general body of the Bombay Chamber of Commerce in 1930 when you forwarded your memorandum to the Simon Commission?—I happened to be President of the Chamber of Commerce in 1930, but I cannot say off-hand whether we consulted our members or not. But if we did not consult, it was certainly not because of the reason which you suggest.

55. I suggest to you that if you look up your letter to the Associated Chamber of Commerce you will find that the reason which I suggested was the reason you stated there?—The Associated Chamber of Commerce?

56. Your letter on that subject to the Associated Chamber of Commerce stated that it would be the opinion of the Committee and not of the Chamber of Commerce because in the Chamber there were Indians and Japanese members while in the Committee there were none?—I require notice of that question.

57. Very good. You have stated that in India you would not accept literacy as a test of intelligence. May I know what alternative is there which you would accept as a test of intelligence?—It is very difficult to answer. Commonsense would be a test.

58. You say that you will not accept literacy as a test of intelligence and you will not say what other test you will accept?—No. I will not say that.

59. With regard to the Federal Legislature in reply to question 6 (*a*), (*b*) and (*c*) you say:

"The Committee agree with the Indian Statutory Commission that it is essential to the working of the Central Government that the diversities of provincial needs and opinions should find real expression in the Central Legislature, and in spite of the weighty arguments in favour of direct election put forward by the Government of India and in other quarters, they do not consider that election by the Provincial Councils is the best means of securing this end."

Do you think that the diversity of the provincial needs and opinions will find better expression by means of the indirect election to the provincial legislatures than by means of direct election by large constituencies? —That is our view.

60. I want to know your reasons for that view.—It is quite obvious. My own opinion is that the representatives elected by the Provincial Councils will have greater knowledge and appreciation of the province's requirements than people elected by direct vote.

61. In the face of that opinion of yours which you have so clearly stated, why do you recommend direct election for the Upper Chamber of the Federal Legislature?—Because the aim to be secured is somewhat different.

62. Can you tell me of any other federal constitution with which you are acquainted where election to the Lower Chamber is indirect and through the Provincial Legislature, and the election to the Upper Chamber is direct? —No, I cannot.

63. May I suggest that you have reversed the ordinary process?—If we have, I do not think it matters.

64. *Mr. Miller:* In reply to the Chairman you said that you did not like the group system, but in special circumstances you may consider it. Would that be in connection with the depressed classes?—In connection with the depressed classes.

56. I gather also from your reply to the Chairman that you are not satisfied with trade union as a kind of electorate for labour.—Not altogether.

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66. Would you consider the group system in connection with that?—Quite impracticable, I think.

67. Is it because it (labour) is constantly changing?—Because specially in cities labour population is very fluctuating. That is the reason.

68. Then what about trade unions? Are the members of trade unions constantly fluctuating?—That would not affect membership of the trade union. If a man is a member of a trade union, presumably he will remain a member when he returns. I may add that there are special reasons to explain the comparative failure of the trade union movement in India to-day.

69. I see that the Chamber consider that it is absolutely essential that the Bombay Presidency European and Indian Commerce should find a place in the Assembly.—Yes.

70. If your recommendation for indirect election for the Federal Assembly is not accepted, how do you propose to provide representation for European Commerce in the Assembly?—That could quite easily be done by making a constituency of the Associated Chambers who would elect two or three members, preferably three members, to reserved seats.

71. May I ask the representative of the European Association whether he will consider it satisfactory for European representation as such?—(*Mr. Bramble*): No. We would require separate representation.

72. Why?—Because our interests and those of the Chamber of Commerce are not necessarily identical. Many questions might arise on which the Chamber as representing Commerce would not necessarily be in a position to represent our views which are more political; and particularly, as the younger generation, we feel that we should not be represented by the representatives of Commerce.

73. Is it not true that they are representing European interests?—Not necessarily. Their interests and ours are by no means identical.

74. So that you want separate representation in addition to Commerce?—As individual Europeans, we say Yes.

75. *Mr. Tambe:* Do you think that a European representative of Europeans elected by a joint electorate will not adequately represent European interests?—I do not think so.

76. Do you wish to enfranchise European and Anglo-Indian women to a larger extent than at present?—Yes.

77. How will you do it?—(*Mr. Bramble*): They are enfranchised in the same way as men and the fact that they are not on the electoral roll is largely their own fault for the reason we have given, namely, that their residence in this country is by no means continuous.

78. At present it is only the property qualification that brings them in?—The same qualification as for men.

79. What percentage of European and Anglo-Indian women are enfranchised on that qualification?—(*Mr. Winterbotham*): On the figures quoted by one member previously, it is very small, but I should say that this is a question which requires the attention of the European Association when the preparation of the electoral roll is going on.

80. You won't have any other qualification for enfranchising them?—No.

81. *Khan Bahadur Aziz-ul-Huque:* In reply to Sir Muhammad Yakub you said that with the extension of franchise the quality of the members of the Legislature is likely to deteriorate.—(*Mr. Winterbotham*): I said that was my fear.

82. But do you think it will be worse than at the present day?—I am inclined to fear that it may be worse.

83. Do you agree that in the future development of this country it is very much essential that the distinction between Indian Commerce and European Commerce should go away as much as possible?—Yes.

84. While I am in favour of agreeing with you that the Europeans as Europeans should be represented, don't you think that efforts should be made to amalgamate the interests of Indian and European Commerce in the Legislature as far as possible? I do not deny that Europeans as Europeans with certain interests should be represented. But don't you think that it will ultimately lead to great complications as well as it will mean really that both the interests will suffer if Indian Commerce and European Commerce are kept separate?—No. I don't. The best way for all parties, including European and Indian Commerce, I think, to work together in the new Legislature, is for them to enter that Legislature with a feeling of security that their interests are properly guarded.

85. But the moment the Legislature gives representation to Indian Commerce and European Commerce separately, it connotes that Indian Commerce should be organised separately as also European Commerce.—Not necessarily.

86. *Major Milner:* You represent the Chamber of Commerce and the other gentlemen of the European Association?—Yes.

87. I am sorry I must apologise for not being here when you replied to the Chairman. You presumably want to ask for a reasonable and effective representation of the Chamber of Commerce and the other gentlemen of the Europeans?—No we do not accept that view at all. We have endeavoured to make a general contribution to the problem.

88. But you desire a fair and reasonable representation as Chamber of Commerce and as Europeans?—Yes.

89. Why don't you put forward figures showing your interests, your capital, the necessity for representation and so on, instead of not putting forward a single constructive argument or reason on that point? It is entirely taken for granted that you should have representation.—There are two replies I would give to that. One is that those arguments and figures have been put forward *ad nauseum* in recent years. And the other is that it is generally accepted by all, including our Indian friends, that our interests should be represented.

90. I entirely agree with that. I do suggest that associations such as these should put forward their interests, capital, the number of their members and things of that sort which justify their demand for representation. And I gather that Mr. Winterbotham's answer to that is that no figures have been given.—We do not base our claim on any particular figure of membership.

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91. *Diwan Bahadur Ramaswami Mudaliyar:* You suggested that you had a fear that there would be deterioration in the nature of the candidate that would come into the future Legislatures?—Yes.

92. If that is so, why do you advocate a wide extension of franchise, both yourself and the European Association?—Because we regard it as desirable and inevitable.

93. Which is the more important view, that it is desirable or that it is inevitable?—Desirable.

94. Desirable from what point of view? Desirable to bring in a better class of candidates to the Legislatures?—That was a question which was put by an individual member. It does not appear in our representation.

95. I agree. But if your fear is that the candidates will deteriorate and less responsible members will be returned to the Legislature, why don't

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you frankly say that the present electorate should continue or even be restricted so that the best quality of candidates can represent the people in the Council? Is it because it is fashionable to advocate wider franchise that you do so or because you feel it is necessary?—We regard it as necessary in the new scheme of the constitution which is due.

96. You have asked for at least one representative for Indian Commerce and for European Commerce in the Federal Lower House, I take it.—Yes.

97. Would you be satisfied with that representation for the Bombay Presidency and for the Commercial interests in the Bombay Presidency?—Yes.

98. Having that particularly in view, do you think a representation of 26 members in the Federal Lower House as against 32 members for some of the most populous Presidencies is a fair distribution for Bombay?—Definitely no.

99. You think it ought to be smaller?—Higher.

100. Why?—Because of the position and influence of the Bombay Presidency.

101. What is the particular position and influence?—I take it you refer to Commerce and Industry. The Commercial men get two seats and the other seats go to others?—After satisfying the claims of other special interests.

102. The special interests do not vary from province to province. It is commerce that made Bombay particularly important?—Yes.

103. I am putting it quite seriously to you if weightage is to be given to Bombay on account of its commercial position, and if commercial interests are satisfied with two seats, why do you ask for 26 seats or, in fact more than 26 seats, having regard to the fact that other Presidencies with double your population only get 32 seats?—But I am not sure that I accept population as the standard.

104. I do not know whether I have made myself clear. You do not accept population as the standard because you want a special weightage for commerce. Is it not so? Is there anything to distinguish Madras from Bombay apart from its commercial importance?—I do not think so.

105. Then for its commercial importance you are satisfied with two seats?—At least two seats.

106. How much more would you want?—I should be happy to have as many as we could get.

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107. *Mr. Bakhale:* Do you agree that labour should be most effectively represented on the Legislatures?—I agree that it should be effectively represented.

108. The Prime Minister's letter says that the Committee should also consider by what method the representation of labour can most effectively be secured. Do you agree with that view?—We have considered that.

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109. Supposing agricultural labour may not get representation through general constituencies, have you any alternative proposal to make?—I have already answered that unorganised agricultural labour does not require representation. Because their interests are not different, as far as we see, from the ordinary agricultural voter.

110. As regards trade unions, you have stated that the "electoral rules in this connection required from trade unions an adequate standard of membership and financial stability". What do you exactly mean by this?—I mean the point that was brought out when the Director of Labour gave evidence, that at present there is no power given to the Registrar of Trade

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Unions to examine the internal affairs of the trade unions. And you could not, in our opinion, make the trade unions the electorates without giving (to the Registrar) that power of scrutiny.

111. Has any Government authority got the power to examine the internal affairs of any commercial organisation?—I should say the Income-tax Office has.

112. That is for the purpose of assessing income-tax. But for the purpose of securing representation on the Legislatures, is there any Government authority which examines the internal affairs of any Chamber of Commerce in this country?—No.

113. Then is it fair that you should lay down a condition which is absolutely unfair to labour, a condition which does not exist in the case of other organisations?—I do not consider it is unfair. I consider it is in your interests, to secure the healthy growth of trade unions.

114. What the interests of labour are are for labour to decide but not for any outside body.—I do not accept that.

115. At any rate the proposal that you make, having regard to the answers which you have given me just now, clearly shows that you want to discriminate between capital and labour.—Definitely not true.

116. You want the internal affairs of the trade unions being carefully examined by some authority?—I want to be reasonably certain that those trade unions which are to be on the electoral roll have in fact the number of paying members which they say they have.

117. You know very well that under the Trade Unions Act the accounts of the trade unions are examined by qualified auditors whose qualifications are prescribed in the rules. Won't you be satisfied with that? The annual reports mention the collections, the paying membership as well as the unpaid membership?—I adhere to our evidence and our representation. It is that the electoral rules should require from trade unions an adequate standard of financial stability. I am prepared to examine any method which will secure that end.

118. Don't you think examination by qualified auditors secures that?—I do not think so.

119. Why? Certain conditions as regards qualifications of auditors are laid down by rules. It is according to those rules that the auditors are appointed by trade unions. The qualifications are laid down according to membership. They see the accounts and the annual reports are published. What more do you want?—I should require to examine the Trade Unions Act more closely on that particular point, with regard to audit, before I could answer.

120. As regards the audit of accounts?—Yes.

121. The point is that trade unions shall appoint a qualified auditor for the purpose of examining the accounts. According to the membership of the unions, the qualifications of the auditors are laid down. If the number of members of a union is about 2,000 or over, they want an auditor of a certain standard, and so on. The unions must appoint such auditors, otherwise the Registrar of Trade Unions will not accept the returns.—What about the unions with membership of less than 2,000?

122. Then lesser qualifications are prescribed, or the accounts of such trade unions may be examined by a J. P., for example, or an honorary magistrate, a municipal councillor or some independent authority.

123. *The Chairman:* Did not the Whitley Commission lay down certain proposals about that, the question of special tribunals being set up and so

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on?—It is precisely because of the recommendations of the Whitley Commission that we have taken that view. We foresaw exactly the same danger which the Whitley Commission foresaw.

124. I am perfectly willing to lay down certain checks on the membership and accounts of trade unions. I do not want any trade union which is not a *bonâ fide* trade union to get this power. But certainly the checks are there and that should satisfy you. There is only one other point. How will you vote according to your scheme of indirect election to the Federal Assembly through the Provincial Legislature?—We have indicated how that could be done in our answer to question 7 under "Federal Legislature".

125. *Rao Bahadur Asavale:* You say "The Committee are of opinion that the franchise should be extended to all persons paying direct taxes of any description to Government or to local bodies". Is it not a retrograde step? Instead of widening the franchise, you are going back to the old system of giving franchise to those who pay direct taxes.—I do not consider any step retrograde which has the effect of widening the franchise.

126. Do you mean to say that those who pay rents on property (land) and those who cultivate lands without paying any direct taxes are to be excluded?—They will be excluded under the proposals of our own local Committee.

127. *Rao Bahadur Angali:* In your memorandum you say "in regard to the method by which representation might be obtained it is suggested that in the case of organized labour in industrial areas it might be done through recognised trade unions, provided that the electoral rules in this connection required from trade unions an adequate standard of membership....." What do you mean by adequate standard?—We discussed that very fully in the local committee and I have nothing to add. A great many people thought it could not be done without amendment of the Trades Union Act by giving Government power to scrutinise the books of Trades Unions.

128. *Mr. Jadhav:* Bombay makes substantial contributions to the Imperial coffers. There is ground, therefore, for asking for additional weightage?—Certainly.

129. *The Chairman:* Can you tell me the membership of the Chamber of Commerce?—There are 181 firms and companies.

130. And the membership of the European Association?—(*Mr. Bramble*): In the Bombay Branch the number is 950.

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Memorandum submitted by Mr. H. L. CHABLANI, M.A., Delhi University.

I.—PROVINCIAL LEGISLATURES.

(*a*) Confining my remarks to Sind, I would suggest that the existing franchise be extended so as to include

(1) Every person who pays a direct tax (*e.g.*, Land Revenue, Income-Tax) to the Provincial or the Central Government. It should be noted that the number of Landholders alone in Sind comes to 218,640 persons (*vide* page 14 of the Bombay Provincial Banking Enquiry Committee's Report).

Memorandum by Mr. H. L. CHABLANI. [*Continued.*

(2) Every person who pays a direct tax to a municipality or a local board, *e.g.*, house tax, tax on professions.

(3) Every adult literate.. .I would not prescribe a definite standard of education, say, Vth Standard, as this will exclude quite a number of intelligent literates who have been educated at home, at their shops, or in their indigenous private schools.

(*b*) Yes, to some extent even at present. While the electorate will for many years be incapable of casting an intelligent vote on specific issues, it is certainly capable of an intelligent choice between two individuals offering for elections, provided their ignorance is not exploited by communal fanatics for their own ends. The position is bound to improve with the growth of political parties, which a real responsible government under a joint electorate is bound to foster. With separate electorates, I would not extend the existing direct franchise beyond enfranchising every English-knowing adult.

(*c*) Yes. I see no difficulty in the preparation, maintenance and revision of the electoral rolls, as the bulk of the work is already being done in connection with Land Revenue and Income-Tax administration. As regards adult literates, the record of the immediately preceding census should suffice with the addition of a proviso that any adult literate not in the list can have his name added to the electoral roll within a certain period by producing a certificate on a prescribed form, from an educational officer of a certain status, or a magistrate of the area in which he resides, that he satisfies a simple test of reading and writing in any vernacular. There will be, however, serious difficulties in the recording of votes in the case of rural voters, whose place of permanent residence is at a distance of more than 10 miles from the polling station. For such voters, the nearest post office, or the nearest railway station, or the nearest primary school, or the nearest court should be made recording offices for about 3 days before the date fixed for the main polling stations. For Pardah Nashin ladies, the responsibility of identification should lie on their husbands or the nearest male relatives, and severe penalties should be imposed on the latter in case of fraud.

(*f*) and (*g*). I am strongly opposed to the group system of indirect election for the *whole* of the population, but I support the suggestion that all adults *not entitled to a direct vote* should be grouped together in primary groups. I consider a group of 20 to be, however, too small to be influenced by the general opinion of the locality. The benefit of this group system should be extended to the unenfranchised both in rural villages and towns. So far as the Hindus of Sind are concerned, I would suggest that the existing Panchayats should be utilised for working this system, and the grouping should be left to the decision of the Panchayats. Such of the Panchayets as prefer to elect all the electors they are entitled to elect on the basis of their population strength should be allowed to do so provided they are compelled by law to include a certain percentage of women, say, 30 per cent., and provided also the election at the Panchayet meeting is confined to those who have no direct vote. Similar privileges under similar restrictions should be extended to Muhammadan Panchayats wherever they are organised.

I consider it undesirable to have separate constituencies composed of group electors only as it will lead to fissiparous tendencies, will foster the belief that the direct voters are a superior lot, and will prevent the group electors from bringing about the defeat of a candidate whose views and policy are reactionary or less democratic. I attach very great importance to the last consideration, as I feel the educative effect of defeating such a candidate will promote the growth of democracy far more than the election of a few representatives of the unenfranchised.

2. FRANCHISE QUALIFICATIONS.

Except for certain anomalies pointed out below, there is no marked disparity in the operation of the franchise qualifications in urban as compared with rural

Memorandum by Mr. H. L. CHABLANI. [*Continued.*

areas in Sind. The most glaring defect in the existing arrangement is the almost invidious distinctions between different provinces and even different districts in the same province in respect of the qualifications for voting. For instance, a person can be a voter in elections to the Council of State, if he is in the previous years assessed on an income of not less than Rs. 20,000 in Madras, not less than Rs. 30,000 in Bombay, not less than Rs. 10,000 in United Provinces, Rs. 15,000 in the Punjab, Rs. 12,000 in Assam and Rs. 5,000 in Burmah. Similarly it is difficult to understand why at the elections to the Legislative Assembly a person with Rs. 2,000 as assessable income should be entitled to vote in Madras, United Provinces, Central Provinces, Burma and Bombay when in Bengal, Delhi and the Punjab the same right is confined to persons assessed on an income of not less than Rs. 5,000, in Bihar and Orissa to those with an income of Rs. 3,840 and in Assam to income tax assessees with an income of Rs. 3,600. Even more unjustifiable than this is the differentiation between Muslims and non-Muslims in Bengal and Bihar in respect of such a civic right as franchise. A non-Muslim in Bengal must pay income-tax on Rs. 12,000 in order to be entitled to the privilege of voting in the Council of State elections, whereas a Muslim gets the same right by paying income-tax only on Rs. 6,000 a year. A similar anomaly exists in Bihar, Muslims with an income of Rs. 6,400 a year being placed on the same footing as non-Muslims assessed on an income of not less than Rs. 12,800 a year.

The anomalies that exist in Bombay show a marked tendency to invidious distinctions between Sind and the Presidency, and between the voters for Muslim constituencies and those for non-Muslim constituencies. There is no reason for the special lowering of the franchise qualifications in Upper Sind Frontier District, which does not apply equally, if not more, to the conditions existing in the Thar and Parkar District, except that the majority of the population in the former is Muhammadan and in the latter is Hindu. There is no justification whatever for fixing the qualifying rental limit in the city of Karachi at Rs. 60 and in the city of Poona or even Ahmedabad at Rs. 36. Again the person who pays Rs. 16 as land-revenue in Upper Sind Frontier District is not necessarily more substantial or more educated or more experienced in voting at elections than the person who pays Rs. 16 to Rs. 35 rent for a house in the urban areas of Sind excluding Karach. These invidious distinctions must all be abolished, and even if these changes in the franchise result in a greater increase of urban rather than rural electors, I do not consider it a matter of regret, as the value of the vote is better understood in urban areas. The urban elector is likely to be more educated, more under the influence of politically-minded persons, more modern in his outlook on life and more assertive of popular rights in a democracy. Even from the narrow point of view of the rural-interests, the cause of the poor tenant and labourer in rural areas is likely to be taken up with greater energy and enthusiasm by the urban elector and urban candidate than by the rural voter or rural candidate under the present conditions. As a matter of fact, except in the city of Karachi and a very limited number of persons in one or two other towns in Sind, there is no marked distinction between rural and urban classes. In fact the contact between villagers and residents of so-called towns in Sind is pretty intimate.

The really objectionable disparity arises out of the overwhelming representation accorded to *one* class of the rural population in the Bombay Presidency in general and in Sind in particular. In the rural electorates of the whole province, there are 270,000 landholders as against 77,500 tenants. (*Vide* Bombay Government's Memorandum to the Indian Statutory Commission, p. 411). In the Hyderabad District Muhammadan constituency, the majority of voters are landlords, and in the Upper Sind Frontier District, the electorate is almost entirely confined to the landlord class, while tenants and labouring classes, who form the bulk of the population, have practically no vote (*Vide* Bombay Government's Memorandum, p. 441). It is impossible to remedy this state of affairs satisfactorily in Sind, unless adult suffrage is introduced or some system is devised by which, in addition to direct

voters, we have group electors elected by the unenfranchised on the basis of adult suffrage. If separate electorates, and special constituencies for *landlords* are continued, I think it is but fair to exclude the landholders from a certain number of constituencies, which should be reserved exclusively for the *Haris* (tenants-at-will) and the agricultural labourers in Sind, who form the bulk of the population in Sind. Even under joint electorates, I would reserve at least 50 per cent. of the rural seats in Sind for these classes, for without some special protection of this sort, there would be no check whatever on the tyrannical power of the big zamindar in Sind. It should be noted in this connection that only 218,640 individuals in Sind out of a total of about 35 lakhs own land in Sind, that only 2,251 landholders hold more than 32 per cent. of the total area, and that 56,862 holders of land monopolise 83·5 per cent. of the land. The Haris, or the actual cultivators, have no occupancy rights in the land and are completely at the mercy of the landlord, being merely tenants-at-will. A reformed Government, particularly, if Sind is separated from Bombay, will have no meaning for this class if care is not taken to secure an adequate number of seats for them in the new legislatures.

(*b*) I am strongly opposed to this suggestion. This goes much further than adult suffrage, which is the utmost any democracy can have, for even under adult suffrage, representation will not and cannot in actual practice be in proportion to the numerical strength of a group or a community, for minors, lunatics, criminals, insolvents will have no vote, and adult women in different communities will not come to the polling station in the same proportion to their numbers. Its object seems to be to destroy all the advantages in political life, which the members of non-muslim communities enjoy, out of the fruits of its own unaided efforts, on account of their property, income, education, social advancement, and commercial and industrial position. The first principle of a modern state is equality of all *individuals* before the law and administration of the state, for it is *individuals* and not communities as such that have rights and duties in the State. The Government of India's Despatch rightly pointed out that the principles that each community should be given a voting strength proportionate to its numbers, and that there should be no different sets of qualifications for voters to population in different communities, might be found to be *mutually contradictory*. The fact is that justice as between *classes and creeds* is a negation of the ideal of justice as between *one individual* and another. If a choice has to be made between the two, it is the latter and not the former that should have precedence. The suggestions made under 1 (*a*) and 1 (*f*) are perhaps the nearest approach to a possible compromise between the two. For similar reasons, I am opposed to any weightage to any community, for this would put a *higher value* on the vote of a non-Hindu than that of a Hindu. If mere *numbers* should count more than property, education, etc., it is illogical to attach more importance to *religion* than to the *numbers* in each community. It is but fair to recognise that Muslims cannot have it both ways; if their religion or their so-called political importance is to have greater weight than their numerical strength, they cannot in fairness refuse to take into consideration the education, the property, the contribution to taxes, and the economic importance of other communities. I consider the *excessive* representation given to the Muslims as such to be a far greater evil than separate electorates. If separate electorates are to continue, the value attached to a Muslim's vote should be the same as allowed to a Hindu's vote, and the minority communities in each *division* should be allowed *freedom* to *choose* between separate electorates with seats in proportion to the number of their voters, or joint electorates with not only reservation of seats on the population basis but also the right to contest any number of unreserved general seats.

(*c*) and (*d*). The answer's to these are implied in the suggestions under 1 (*a*). Under present conditions, I do not think it is possible for a voter in India to have the necessary sense of direct responsibility unless he either pays a direct tax or is capable of at least reading a newspaper. But respect for the decision of a Panchayat is rooted in the traditions of the race, and group electors elected freely by

those who have no direct vote, are not unlikely to show some sense of responsibility in voting for those whom the community generally regards as desirable and who are likely to work for the interests of the *general community* rather than for individual advancement or sectional interests.

3. WOMEN'S SUFFRAGE.

(*a*) I am in favour of the suggestions made by the Indian Statutory Commission as modified by the Franchise Sub-Committee, *if* it is not considered feasible to accept the suggestions made under 1 (*a*) and (*f*).

(*b*) I do not favour the formation of separate groups of women. The groups should contain both men and women but each group should be compelled to elect a certain minimum number of women electors, say 30 per cent. The Pardah Nashin ladies can participate in a meeting of primary voters by sitting behind the pardah.

4. REPRESENTATION OF DEPRESSED CLASSES.

The problem does not arise in Sind except in the city of Karachi and in the District of Thar and Parkar, where the number of depressed classes is appreciable. Even in these areas, there are practically no disabilities under which they suffer; and very little will be gained, and much lost, by the Depressed Classes if they are classified as a separate group from the Hindus. If one seat is reserved for them in the city of Karachi and the suggestions made under 1 (*a*) and (*f*) are accepted, they should have no reason to be dissatisfied in Sind.

5. REPRESENTATION OF LABOUR.

It is only in the city of Karachi that labour engaged on the Railway, the docks, and large establishments can be organised. If special seats are maintained for Chambers of Commerce and Trade, a special seat should be reserved for urban labour as well. The only way to facilitate the growth of labour unions of agricultural labourers and Haris (tenants-at-will), who form the bulk of rural population in Sind, is to institute the system of group electors.

II.—THE FEDERAL LEGISLATURE.

(*a*) I agree.

(*b*) Yes, my answer to the first part of the question is in the affirmative. I would modify the existing franchise qualifications for the Legislative Assembly, by including among the electors all persons who are English-knowing. This, in my opinion, would be a sufficient extension of the existing franchise.

(*c*) I see no reason why the size of the future constituencies would be more unwieldy than that of the existing constituencies at present. As a matter of fact, it ought to be somewhat smaller. With the formation of political parties, which the introduction of an element of responsibility in the Lower Chamber would necessitate, there should be no difficulty in a candidate canvassing and maintaining contact with his constituency. At any rate, such a system of direct election would be far better than the alternative of indirect election. The so-called "unreality" involved in the creation of a large unit of representation for India, to which the Simon Commission refers in Paragraph 137 of their report, will be much less than the unreality involved in the system of "indirect election." The solution through "election by the elected" will be much worse than the present system, because under it some of the existing divisions may not at all be represented in the Federal Legislature. Besides, the distinction between all-India functions and the provincial questions is so clearly marked that a candidate selected primarily for his fitness to represent the views of his constituency in a provincial question may not be the person who would be elected under a system of direct election for representing the views of his electors in an all-India question.

Memorandum by Mr. H. L. CHABLANI. [*Concluded.*

Assuming that there will be only 6 seats for Sind in the Lower Federal Chamber, I would suggest that three seats should be allotted to the rural areas, one of them being reserved for Hindus, and one for Muslim tenants-at-will or Haris in Sind. Two seats should be filled up by plural voting in cities and towns containing a population of more than forty thousand, and one seat should be given to commercial and trading associations including European Chambers of Commerce.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

I do not see any necessity for giving any representation to the Depressed Classes and Labour in Sind on the Federal Legislature. Labour in Sind is almost wholly agricultural, and is not interested in the questions before the Federal Legislature. The depressed classes in Sind are far too few to be entitled to any representation in the Federal Legislature. The number of women, who could take part in the activities of the Federal Legislature is far too limited in Sind, and most of such ladies are residents of cities, and are likely to take some part in the elections from urban constituencies.

8. GENERAL.

Existing Anomalies.—The most obvious defect in the existing electorates is the small proportion of literate and intelligent voters among them; and the easiest way of remedying it is to make literacy, especially literacy in English, as a sufficient qualification in itself for voting to the local legislative councils.

Qualifications for Candidates.—The existing qualifications for candidates do not include even literacy as a necessary equipment for a member of the Council. Over 20 per cent. of the members of the first Bombay Council were illiterate. Unless the Councils are to be made the laughing stock of the world, this state of affairs should cease. I am inclined to believe that for several decades to come, a knowledge of English up to the Matriculation Standard should be demanded from every candidate for election to the Legislative Council or the Assembly. The least that should be done is to lay down literacy in English as the irreducible minimum educational qualification for candidates.

Inadequate representation of certain interests. Unfair distribution of seats.—The existing distribution of seats in the local councils and the Central Legislature appears to me very inequitable. Out of 104 elected members of the Assembly only 22 represent urban interests as against 82 representing rural classes, though the main taxes of the Central Government, Customs and Income-Tax, affect the former far more than the latter. Conditions are no better in the local councils; the representation of the rural and urban elements is out of all proportion to the relative burdens which they bear. The Taxation Enquiry Committee bears testimony to the inequitable burdens thrown on the urban labourers and the big merchant class; and no redress of this injustice is possible unless the political representation of these classes on the legislative bodies is increased substantially. It is difficult to discover any justification except the traditions of a foreign Government for the excessive representation accorded to the landed interest in the various councils. The Zamindars as a body are not only reactionary in outlook but also too selfish to allow anything substantial being done for the masses. Their hand already sits heavily on the masses; and transfer of political power to their hands can only add to their power for evil. In fact at present the middle class urban members of the councils are distinctly more pro-tenant and are more likely to represent agrarian grievances of the masses than the big landlords in the Councils. Be that, however, as it may, the excessive representation of the landed interests through the general constituencies leaves no ground whatsoever for continuing special constituencies for the landlords in any area or for giving excessively generous representation to a body like the Sind Jagirdars or the Deccan Sardars.

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Mr. H. L. CHABLANI, M.A., Professor, Delhi University.

The Chairman: Mr. Chablani, I must point out to you that there are certain portions in your memorandum which discuss the communal question which is not in itself before the Committee. This Committee is not permitted to deal with that question. That is reserved to the British Government to decide. Therefore we shall not examine you on that part of your evidence.

Sir Muhammad Yakub: I wish you, Sir, to say that that portion of the evidence is not on record.

The Chairman: It is not before us.

Mr. Chablani: I have not confined myself to the idea of communal electorates but also attempted to point out that it is possible to have separate electorates on an economic basis. If that part of the evidence is also not within the purview of the Committee.....

1. *The Chairman:* I have no objection to your discussing any method of representation provided it does not refer to the communal question. We had a discussion on multi-member constituencies and single-member constituencies as a method of giving representation to local interests. The communal question itself is out of order. Now, confining your remarks to Sind, you say that you would suggest that the existing franchise be extended so as to include every person who pays a direct tax to the Provincial or Central Government, to a municipality or local board and every adult literate. Can you tell me what proportion of the population that proposal would enfranchise?—I think roughly it will come to 20 per cent.

2. You are strongly opposed to the group system of indirect election?—I am not at all opposed to it in the case of the persons who have no direct franchise.

3. Would you enfranchise the balance by grouping them into twenties?—More than 20, I say.

4. Twenty to thirty?—I consider groups of 20 far too small.

5. Groups of what size would you suggest?—About forty.

6. And each group would elect how many?—Two from among its own members.

7. Have you seen the proposals of the local Government and the Franchise Committee for dealing with the problem of the Haris?—I have not seen them.

(Mr. S. H. Covernton explained the matter to the witness.)

(*The Witness*) I have only to point out that in Sind there will be some difficulty regarding tenants because there are no occupancy tenants. They are all tenants at will, and I am afraid it will not be easy to get a proper record of who the tenants actually were in a particular area.

Mr. Covernton: I do not myself think that there will be any more difficulty than in other places.

8. *Sir John Kerr:* Is the tenant in Sind a tenant at will?—Yes.

9. Is there not considerable danger if he is compelled to vote in accordance with his landlord's wishes?—There will be danger, but if the tenants themselves are organised in groups, I do not think there will be much danger because their opinion will prevail against the zamindar. But if left to himself individually, there is a grave danger that he will be dominated not only by the zamindars but also by *Pirs* in Sind.

10. In Sind, is it a competition of zamindars for tenants or competition of tenants for land?—In some areas it is the competition of zamindars for tenants and in other areas it is the competition of tenants for land; the latter will be the case in areas served by the Sukkur Barrage. In areas where the Sukkur Barrage does not pass, there will be competition between zamindars for tenants.

11. Then you say that 'group electors elected freely by those who have no direct vote, are not unlikely to show some sense of responsibility in voting for those whom the community generally regards as desirable'

Have you any particular reason to say that? Have you had any experience of elections?—My own experience is confined to the Hindu community. There are the remnants of the panchayat organisation in Sind and there generally the public opinion, the opinion of the panchayat, weighs more than that of any individual, however great he may be.

12. What do the panchayats do in Sind?—They discuss generally social matters, they declare certain marriage expenses as valid, they settle disputes, deal with offences against the custom of the community and so on.

13. Is it a non-official panchayat?—Yes.

14. How do you propose to conduct the group elections with groups of forty each?—At a meeting of the group of 40.

15. Would you have a roll which will contain the names of these 40?—Yes.

16. Who will prepare the rolls?—The Revenue authority.

17. What class of officer have you in view?—The ordinary tahsildar.

18. Would the tahsildar have the time to do it?—He will have time to do it, as it will be prepared long before the elections.

19. Would it be in addition to his work?—He can do it easily.

20. After the preparation of the roll of groups of 40, what will happen?—There will be a meeting of the voters.

21. Would you call for nominations?—There will be only a meeting of the voters, all the 40. At that meeting there will be nominations.

22. And you would confine the nominations to the members of the groups, and then they would be called upon to elect one or two or three members as electors?—Yes.

23. Those electors would vote in the same constituency as the direct electors?—Yes, in the same constituency.

24. Have you any idea as to what the ratio of direct voters to the mukhias would be.—Well, it will be about 20 per cent. direct voters and about 5 per cent. indirect electors.

25. 20 per cent. of the total population would have a direct vote and 5 per cent. the indirect?—Yes.

26. Then you propose that the candidate should be required to have a knowledge of English up to the Matriculation standard?—Yes.

27. How would you test that?—The passing of the Matriculation examination.

28. A considerable number of people do not pass the Matriculation examination?—That considerable number belongs to the Anglo-Indian or European community; these pass the Cambridge Senior. There are also certain other examinations recognised as equivalent to the Matriculation.

29. Will not this exclude some deserving candidates?—In every kind of rule there will be some hardship.

30. Would you institute a special examination for the candidates for the Legislature?—No. I would not.

31. They would have to produce certificates of having passed the Matriculation or some equivalent examination?—Yes.

32. *The Hon'ble Mary Pickford:* I see you advocate mixed groups for men and women. How would you manage it if you are to have groups of 40? You suggest that each group should be compelled to elect a certain number of women electors, say 30 per cent.—As regards that, I may say that the selection of 30 per cent. cannot be effected if the group is 40. If you have a joint group of men and women, the group will have to be enlarged to about 60.

33. You may require each group to elect one woman member?—Yes.

34. *Sir Ernest Bennett:* Will you say how the groups will vote? Is it by show of hands?—Yes.

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'35. *Mr. Butler:* In connection with the question of group elections for the representation of labour, do you think that the different castes and in some cases the different races which collect together in a factory or industrial undertaking would militate against the formation of groups?—I do not think so in the case of Sind.

36. We had that experience in the case of a jute mill in Calcutta.—You may have the difficulty in Bombay and Calcutta where industrial labour is more organised, but not in Sind.

37. What about the labour in Sind?—There are not sufficiently large number of people so far as industrial labour is concerned. It is only in Karachi that you can have a recognised trade union.

38. You use the expression 'groups'. How would you use groups together with trade unions?—If in a particular locality there are a large number of labourers (in any territorial area), they will have every chance to put up certain electors who are labourers.

39. Then it means you would not use the trade unions. Is it so?—I do not think that will work in Sind because labour is more scattered.

40. Groups of 40 and 60 can be used in Sind?—Yes.

* * * * * * * *

41. *Khan Bahadur Aziz-ul-Huque:* You say that if landlords' interests are retained in Sind there should be a special electorate of the tenants-at-will in Sind.—Yes.

42. I find that in 1921, the Census report says that the condition of these agricultural labourers or tenants in Sind is just like slaves in America. Is the same state of affairs continuing still?—I should think so.

43. In view of that statement of yours, how do you think that these classes can be specially represented in Sind provided adult suffrage is not feasible?—Provided the landlord is excluded from their constituency, public opinion will have some opportunity of shaping and asserting itself.

44. Then I take it that in your view this question is a live issue so far as Sind is concerned?—As a matter of fact for the last few years in Sind there has been a Hari Hakdar Society. They had two annual meetings, one in Miperkhas and the other in Karachi.

45. But you have not anything definitely specific to suggest as to how these labourers should be grouped together?—If you form a separate constituency of landholders, the remaining agricultural population consists of tenants.

46. Therefore so far as Sind is concerned, you want to divide rural constituencies into two groups, the agricultural tenants and the others, landlords big and small, and that will give representation to these classes?—Yes.

47. *Major Milner:* Am I to understand you to say that there are no trade unions in Karachi?—There are. But they are not alive.

48. Have you any special knowledge of them?—I have a general knowledge.

49. Can you tell me of one labour union?—There is one of which Mr. Narayana Das Bechar is chairman.

50. You have come here to give us expert evidence in the matter. You do not know the name of a single union in Karachi?—I cannot tell you the names of the unions in the whole of the country. But as a matter of fact, we do have in mind the leading persons connected with them.

51. Are you aware that there are quite a number of fully constituted and organised trade unions in Karachi?—I am aware of the Railway Workers Union.

52. There is the Municipal Sweepers Union?—Yes, that is the one of which Mr. Narayana Das was chairman.

53. The Railway Workers Union and quite a number of others?—Yes, but how many are recognised? Only two were allowed to vote for Trade Union representatives from India.

54. There are 8 unions with quite a large membership. That being so, don't you think that the vote can properly be given, as recommended by Government and the Provincial Committee, to the trade unions?—So far as Karachi is concerned, one seat may be given. I have said that in my memorandum.

55. That would represent the majority in Sind?—Will you care to read what I have stated regarding this? I have definitely stated that so far as Karachi is concerned, one seat should be given to them.

56. You do not say it should be given to trade unions. Do you agree that trade unions should be given representation also?—So far as Karachi is concerned.

57. *Mr. Butler:* You said that labour should be given group representation. Now you say that representation should be by trade unions.—It does not mean that those who have got the vote and who are labourers outside the unions cannot have representation.

58. *Major Milner:* Would you give a seat to the trade unions and also for the unorganised labourers two seats?—No.

59. *Rao Bahadur Angadi:* You say under 'Representation of Labour': 'If special seats are maintained for Chambers of Commerce and trade, a special seat should be reserved for urban labour as well.' You refer to one seat, that for the Karachi Labour Union?—Yes.

60. You are of opinion that if Chambers of Commerce are to be given separate representation, labour should be given corresponding representation?—No, not corresponding representation. The other labourers who are to be in groups, form part of the general electorate.

61. Supposing three seats are assigned for Commerce and Trade for Karachi, to take a hypothetical case, would you like to give some kind of representation to labour in Karachi?—No, because the same amount of labour is not organised in Karachi.

62. If it is organised?—If it is organised, it will depend on the character of the organisation, whether it is real or nominal.

Memorandum submitted by Maulana SHAUKAT ALI.

Letter from Maulana Shaukat Ali, Secretary, Central Khilafat Committee to the Chairman, Indian Franchise Committee, Bombay, dated the 16th March 1932.

I am giving this evidence on my own behalf and have had no time to consult the Central Khilafat Committee. However, my organisation in its annual session in December 1929 at Lahore passed a resolution authorising its members to waive non-cooperation and co-operate with the British Parliament in its efforts to give responsible government to India—and on that authority members of the Khilafat organisation, both my brother the late Mohamed Ali and myself, accepted nominations as members of the Round Table Conference and heartily joined it with a view to bring about an honourable settlement, both political and communal, of all pending questions. As to the future constitution for the government of India I adhere firmly to all—what are called the fourteen points—of the Muslim demands.

Without prejudice to them I am glad to give my assistance to the Indian Franchise Committee. In the absence of the communal settlement it is difficult for me to answer some of the questions, but I will do my best.

It would have been easier for us to give whole-hearted co-operation if the communal question was fully settled before the Franchise Committee began its work.

Memorandum by Maulana SHAUKAT ALI. [*Continued.*

MEMORANDUM.

1. PROVINCIAL LEGISLATURES.

(*a*) I am an advocate of adult franchise which apparently at present is difficult I gladly accept the decision that the present franchise should be extended between the limits of 10 per cent. and 25 per cent. of the population. I would have insisted on the proportion of the population to be reflected on the electoral roll but as I am giving my views on the basis of separate electorates, I am to a certain extent, relieved. The franchise could be easily extended by including a large number of people who are literate both in the Rural and Urban areas. Then the property qualifications could, both as regards land revenue and house rent, etc., be reduced to include a large number of men and women as voters, including peasants and workers who pay taxes indirectly through the land holders and land lords and to the Municipalities and District Boards.

(*b*) Yes, certainly. It will be the duty of those seeking election to go out to the electors and make them realize the responsibilities of the privilege granted to them and this extension would have a very beneficial effect on the poorer inhabitants of this vast country. This ought to have been done much earlier but it is never too late and this reform should not be delayed much further.

(*c*) Yes, I see no difficulty about making arrangements for meeting this excess of voters. It is only a question of more polling booths nearer to the homes of the voters. I have not heard any complaints about the Returning Officers and there is always available a large number of officers who could be trusted to see that ballot boxes are not tampered with ; the same about recording and counting of votes.

(*d*) As answers to *b* and *c* are in the affirmative, no fresh suggestions are needed.

(*e*) In answering questions *a*, *b* and *c* I have given sufficient suggestions to enlarge the electoral roll.

(*f*) I am opposed to this "Group" suggestion which is liable to increase corruption and buying of votes in the villages. Further, direct voting by each individual would teach him responsibility and give him a very profitable political knowledge. I do not desire to make the election machinery complicated. Direct votes exercised by individuals at the polling booths nearer to their homes would give very satisfactory results. Rural and Urban voters could vote at polling booths near to their homes. It is in the villages where the voter needs more political education and this method of direct voting is the best means for achieving that object.

(*g*) As I said above, we need the simplest possible machinery for elections and these "Group Electorates" and "Group Candidates" only complicate matters. I am emphatically opposed to this suggested group system.

(*h*) No.

(*i*) Does not arise after what I have said above.

(*j*) Does not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) Yes, disparities of franchise qualifications do exist in rural areas as compared to urban areas. This disparity could be removed by enlarging the electorate and lowering the franchise qualifications, particularly in rural areas.

(*b*) I would certainly want it but as the basis on which the Committee would make its recommendations would be the separate electorates, the absence of any arrangement that the electoral roll should reflect the proportion of the population would not give much trouble. Yet I would much prefer to have voting strength proportionate to the population. As I strongly advocate separate electorates until such time as mutual confidence is established and all communities become better organized and educated, I need not answer (ii) and (iii).

BOMBAY.

Dated 16th March, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE BOMBAY PROVINCIAL FRANCHISE COMMITTEE.

Maulana SHAUKAT ALI.

1. *The Chairman:* Have you got anything to add to your memorandum? —Yes, it is being typed.

2. You are giving evidence on behalf of the Central Khilafat Committee? —Yes, the Society have given me permission that we should co-operate with the British Government in their settlement about India. My late brother and myself had made up our minds to do our best to make this a living and a useful settlement.

3. You are an advocate of adult enfranchisement. You recognise the difficulty in the way of carrying it out at present?—I accept the 10 to 25 per cent. basis. I think it is reasonable.

4. From your statement it appears that you are opposed to the group system?—Yes.

5. You remember that the idea of the Round Table Conference was that you should enfranchise from 10 to 25 per cent. which will then bring in the whole of the population in one group so as to give them some say in the country; that unless you have some such system you will leave out a portion of the population?—If you want to deal with a bigger portion of the population, make it 30 per cent. or 35 per cent. I would not like to complicate the system that we are used to in India; we have never had the group system in India before and nobody understands it.

6. You will agree that the 10 or 15 per cent. voting power, or whatever it is, should be distributed as far as practicable between the various communities?—Certainly.

7. You will remember that the Statutory Commission and the Round Table Conference and the Prime Minister in his letter attached great importance to the securing of adequate enfranchisement of women. It is not easy to see how you are going to do it. The Simon Commission has suggested, as a rough and ready way, the enfranchisement of the wives and widows? —I have no objection to rope in as many women as we can. The idea that they cannot read or write should not stand in the way as these women exercise a tremendous lot of influence in our home life. I hope you will permit me to say that my late brother Mohommed Ali and I were brought up by a purdah woman who was uneducated and we both owe 90 per cent. of our success in life, such as it is, to women in purdah.

8. Would they be capable of passing an intelligent vote?—More capable and more intelligent than men.

9. It has been suggested that Muhammadan women find it difficult to go to the polling booths by reason of the purdah they observe and that separate

arrangements should be made and a woman assistant appointed to help them. Do you think that would bring out the Moslem women?—I approve entirely of that scheme; the more facilities you give them nearer home the greater effect will it have on the population and I think you will find the women more patriotic than men. I may add that in the Khilafat movement, the non-cooperation movement and the present civil disobedience movement (of which I did not approve) the women took a very prominent part.

10. It is suggested that it will be difficult in the early days for women to get elected to the legislatures and various proposals have been put forward for securing the election of, say, 5 per cent. of women in the legislatures?—It is a very good thing. I don't know if I am bringing the communal question in but out of the share allotted to the various communities a share can be given to the women.

11. You mean to say that in each separate electorate a percentage of seats should be allotted for women?—In the beginning they might come in through the main gate but I think in each electorate one woman should be there.

12. Of course you apply the principle equally to the provincial and the Federal legislatures?—Yes. Judging from the two women that have been on the Round Table Conference and the part they played, it is a very good augury that we could get their assistance in every legislature.

13. You have a good deal to do with electioneering in its wider sense and you have dealt with the mass population in this country. How far do you think it is true that if you enfranchise 15 per cent. or 25 or 30 per cent. of the adult population the masses will have a discriminate voice in politics?—My best supporters in my work in the Khilafat were the workers who were unable to read and write. They hold sound views and I wish you could hear them. They are very keen and very staunch.

14. Will that be true of the villages?—Yes; and the time has come when we must go to the villages. After all there is a huge population in the villages and the very fact of us going there and asking them for a vote would be an education for them and very good for the country.

15. *Diwan Bahadur Ramaswami Mudaliyar:* May I take it that from your knowledge of the Moslem masses a considerable section of women would be enfranchised?—Yes; they play a very important part in our lives and I think they would be very glad to take part.

16. You are in favour of the enfranchisement of the wives of male voters?—I think your property qualification is so large now that a fair number of women would come in, but why should you deprive other women? A man may have a vote but his wife may not be capable.

17. What is your proposal to get a large number of women on the list? —It is very difficult to say in the absence of figures. If a woman could write her name, I would give her a vote.

18. Supposing a woman has the same property qualification as a man and if literacy is added, hardly $\frac{1}{10}$th would be enfranchised?—Many of them are workers earning wages: they should have a vote.

19. In the total electorate, taking all these qualifications, the women would be 1 out of 10?—I cannot think of anything else.

20. Would you oppose the wives of electors having a vote?—Moslem women have property. If you think it will be a good thing to rope in other women from other communities I have no objection.

21. *Sir Sunder Singh Majithia:* If a man is not able to follow the discussions in Council you surely would like to have some higher qualifications for the candidates?—There is no necessity. If you come to my office this evening you will find men there who are hardly able to write but who will give you sound views.

22. There is the language. I have known members who have not been able to follow the discussions because they do not know English properly?—If you want a larger number, why insist on the English qualification? Why not the vernacular of the Province?

23. The shorthand writers will have to record the proceedings?—There are shorthand writers in Gujerati, Maharati, Urdu.

24. May I know something of your views about Upper and Lower Chambers? Would you care for an Upper Chamber?—I think an Upper Chamber would be very useful. I am a great advocate of Indian States coming into the Federal structure. I think in the present instance they will supply a stabilising influence to the Government of India and therefore I shall certainly advocate an Upper Chamber to act as a brake on our enthusiastic and wild schemes.

25. Would you like to have an Upper Chamber in the Province as well?—I am not so sure. There you see we have got to train our people.

26. As autonomy is to be given to the provinces, don't you think you ought to have some sort of restricted Upper Chamber there?—So far we have been getting on very well without an Upper Chamber. I think in the provinces people are quite able to look after their own affairs.

27. In an Upper Chamber would you have men of a higher age?—I think the Princes will be there, and you might get the elders.

28. Would you also have men who have had legislative experience in the Upper Chamber?—In the past the Councillors have not been very brilliant. I think, probably, you will have better men outside than in the Council.

29. Would you have women in the Upper Chamber as well?—Certainly.

30. *Mrs. Subbarayan:* From your experience you can say that Moslem women are all taking part in public life?—Very much.

31. And are interested in the welfare of the country?—I can only judge from my own self and family. We did not go to schools and my mother was most ignorant and yet when the time came for work she took a most prominent part.

32. You would give them opportunities to take part in the working of the new constitution?—Yes; you must arrange for facilities to suit their convenience. There may be some difficulty at the beginning regarding Moslem women.

33. Have they participated in your Conferences and your Committees?—Yes, I put up *chicks* for them and they come and attend.

34. Do they express their views?—Yes; when we went to jail in Karachi it was my mother who kept the flag flying. They toured India and what we collected in a year and half they collected in two months; where I could get a few pice she got a few rupees.

35. *Major Milner:* How do you propose to get all these people into the legislature?—By extending the franchise.

36. How would you extend it?—In the first few years when they go to the new electorates they will get a certain amount of education and in the next year you will find that they are much better.

37. I understand you are thinking of adult suffrage; but if this is not practicable you are not in favour of extending the property qualifications from 10 to 25 per cent.?—I have no objection.

38. You must have some test or qualification restricted to property owners in some form?—If I could teach anybody to sign his name I would give him a vote. In a few years education will be seriously taken up and you will have wonderful results. A woman earning 12 annas a day is just as much entitled to a vote as any one else.

39. There would be very great practical difficulty in finding out who are the wage earners. You would require a huge machinery?—It may not be

easy in the beginning, but I think you will find that the village people you put in charge will be able to find it out.

40. They will be able to prepare the electoral roll on that basis?—Yes.

41. *Lord Dufferin:* What are your views on the representation of special interests as now?—I suggest that the landlords should get in through the main door. In the United Provinces the Council is composed of nearly all landlords.

42. Your argument is that when you extend the franchise the landlord will cease to come in and European commerce will never come in?—Europeans I give under communities. I am for communal interests.

43. And you would give Labour special representation?—Yes; and the Anglo-Indians, Europeans, Indian Christians, the depressed classes, Moslems.

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44. *Mr. Miller:* You would give the Europeans a special interest?—Yes.

45. And Commerce?—They should come in by the main gate.

46. Indian Commerce?—Look at the list and you will find Millowners, landlords and landholders; they are all over-represented.

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47. *Sir Ernest Bennett:* Amongst your other points I see that you are willing to see labour represented. Have you thought in what way should it be done. It has been suggested that the trade unions may possibly form a beginning. Would you be in favour of that?—I would like to give an individual vote. I am opposed to groups lest corruption should come in. You have got to see that votes are not bought and sold.

48. Have you thought of any other way in which they could be represented?—Labour will be very powerful. Labour will swamp the country. They can choose their own representatives. You can get men like Mr. Ramsay Macdonald out of India. They can have somebody of that calibre.

49. Who are the people who will choose?—The labourers themselves.

50. Who are they?—They are mostly workers in the villages. In the villages there are carpenters, blacksmiths and so on. They are the people who should go and put forward their case.

51. In a separate electorate?—In a joint electorate. I am not to talk to-day about joint and separate electorates. I will press for separate electorates.

52. You are in favour of adult suffrage but are now not in favour of it because it won't work?—Yes.

53. *Sir Muhammad Yakub:* With the curtailed powers of the Governor and the removal of the official *bloc* and the nominated members, if you don't have a second chamber in the provinces what would be the check on the vagaries of the Council? How do you propose to secure stability in the provincial councils?—In the last few years I had some very useful experience. I think organized propaganda will serve the end of a second chamber if there is somebody to bell the cat. You have to go to the people and explain things. They have got very good sense and after all truth triumphs.

54. You think with the enlarged electorate the kind of people, the class of people, who would come as members in the Council will be such as would be able to have stabilising government in spite of separate electorates and communal feelings and all that?—I believe the whole atmosphere will be different. You can't realise it to-day. Though I have got a very vivid imagination even I can't realise it.

55. But suppose that in the beginning the councils are swamped by the Congress people and as you start your new machinery they all go in and

start with their revolutionary propaganda how would you stop it? The Governor has no power and there is no official *bloc*. How are you going to stabilise?—I have stood against the Congress and the civil disobedience movement and they have tried their best to down me and suppress me but they have not been able to do it. If any honest man gets up with courage in his hands, I think, the people will support.

56. Do you think one Shaukat Ali would be quite enough to have a stabilised government in all the provinces?—There are hundreds and thousands of Shaukat Alis in India. There are cleverer people. I am not very clever.

57. If you are not in favour of a second chamber in the provinces, why then do you want a second chamber for the Federal Assembly?—There are very big questions which will come up there like War, Foreign Affairs, big questions affecting the whole country. Supposing we made mistakes, the Crown and the Viceroy will have some power.

58. The Viceroy will have nothing to do when you have Provincial autonomy?—If something happens which practically upsets the good government of the country, the Viceroy should have the power to deal with it. For example, martial law has to be declared; in such cases there must be some power with the Governor.

59. You want to give the Governor some powers to check?—I am not enamoured of the Governors. I will give them powers sufficient to control the affairs of the country. If necessary, I will get foreign men.

60. Instead of a second chamber you will give the Governor these powers?—They have some powers.

61. The whole constitution is in the melting pot. What would be the powers that you would give?—What is the function of the Governor?

62. I want to know your opinion as to what it ought to be?—The Governor will be a part of the machinery. If you want to have a republic have a republic. Let them choose their own President. If you are willing to do this, I have no objection.

63. As regards the second chamber in the Federal Assembly, what should be the electorate for it? Do you think it would be right to give the whole power of electing the second chamber to the provincial councils which will consist of men who will come through these enlarged electorates, and they will naturally elect some people from amongst themselves or will elect men of their own type? What would be the check of the second chamber?—I hope I am not discussing the communal question—I have avoided it as much as possible. In the provinces in India there are certain communities in a majority and certain communities in a minority. In provinces where the Muslims are in a majority they would have rabid Musalmans and in places where Hindus are in a majority they would have rabid Hindus. That would not be in the interest of the good government and peace of the country. I am sick of the Congress movement. I am very angry with those who were once my co-workers. We should try to do some constructive work instead of abusing each other.

64. You think that provincial councils will be quite safe without the second chamber?—They are safe.

65. How would you distribute the franchise in order that all sections of the people might have sufficient voice in the administration of the country?—Each community will have a voice. Separate electorate is the basis.

66. Probably we cannot discuss that?—Your Committee cannot go beyond that. Your basis is separate electorates. I am giving evidence on that basis. These are my instructions.

67. Would you have the same qualifications for the electors as for the candidates or different qualifications?—Certainly I want my poor people to come in. They would be far better than learned graduates.

68. What, in your opinion, would be the effect on the quality of the members with the enlarged electorate?—I think the election is not for all life. We judge a man by the work. If he does not work well, we send him home next time. My best argument is the last election in England. Labour had its ministry. Time came when the people were not satisfied with their principles and they wanted to send the Prime Minister out, and quite right too.

69. At present you consider that to start with 10 or 15 per cent. of the population should be enfranchised?—If possible, 25 per cent.

70. What percentage of this population should be fixed for the women? Will you fix some percentage of the population for the women or would you allow them to have their chance?—I think they will get their own chance in the ordinary electorate, but the door must be kept open to them. I think there is enough civilisation in the country and the women will come in, but supposing there is some difficulty I am quite willing to have a share of the seats of each community reserved for women.

71. Do you think that the women in the rural areas will also utilise their franchise to the same extent as in urban areas?—There is less purdah there.

72. Not on account of purdah but on account of the political awakening. The political awakening which you find in the womenfolk in urban areas, I think this must be your experience also, is much more than in the case of the rural areas. In rural areas there is very little political awakening?—I think they are much better. Probably there will be less corruption in the voters in the rural areas. In the cities they are much too clever. I have some experience of the Bombay Corporation. I know how votes are sold.

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73. *Sir Sunder Singh Majithia:* In reply to my friend's question you said that you are not in favour of the provincial second chamber. Would you give the Governor greater powers? Would you give him the power of veto?—No, I want to give him very little power. After all, we have got a sense of responsibility among our own people. They will be responsible for the government of their own province.

74. Supposing a legislative council behaves in a manner which is not desirable and is not in the best interests of the country, would you, under those circumstances, give the Governor the power of veto?—The Crown should have the prerogative to dissolve it.

75. Would you require that the Governor should dissolve the Council?—I don't want to give him much power. The Governor must be only a sort of head of the Cabinet like the Chairman of the Franchise Committee.

76. Who would order the dissolution?—The Crown's representative.

77. People should appeal to the King Emperor to order the dissolution?—The people, or the Governor may recommend.

78. The question is whether you would not entrust this power of dissolution or veto to the Governor?—No.

79. You would like him to refer to his Majesty, who should decide?—Certainly.

The Chairman: Thank you very much. You have been one of the most refreshing witnesses we have had.

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Memorandum submitted by Mr. A. N. SURVE, M.L.C.

I.—PROVINCIAL LEGISLATURES.

1. Extension of the Franchise.

(*a*) Means suggested are the following :—

(i) Lowering of the existing standard of the franchise qualification ;

(*ii*) Enfranchisement of wage-earners ;

(*iii*) Subsidiary enfranchisement of adult members of the family to the number permissible, according to the minimum pecuniary qualification prescribed, *e.g.*, a family consisting of husband, wife, son and a daughter—all adults—pay Rs. 20 in taxes and the pecuniary standard laid down for enfranchisement is Rs. 5 only, then all the four members constituting the family should be enfranchised, and not only the husband as the head of the family, as at present.

(*b*) Yes.

(*c*) If persons possessing franchise qualifications are compelled under penalty to get their names enrolled, then the work of preparation, maintenance and revision except in cases of death of electoral rolls will become feasible. Mechanical devices for recording and counting of votes are invented and there is a prospect of their being perfected for practical purposes in near future ; but even in their absence, if arrangements are made for counting of votes at the places where they are recorded, instead of at the District town—as is the practice now—then even counting should not present any formidable difficulty in making an advance to the limit now suggested or even in excess of it.

(*d*) Does not arise.

(*e*) It is both practicable and desirable to enlarge the electoral roll to an extent beyond 10 per cent. of the population adopted by the Committee as a basis. Lowering of the pecuniary standard of qualification would accomplish the object in view.

(*f*) The proposal is merely a palliative. Its adoption will certainly enlarge the electorate to some figure less than 5 per cent. The enfranchisement of these electors, who would otherwise have remained unenfranchised, and the fact that a large number of indirect voters will get training—these two appear to be the only advantages of the proposal ; but there are several disadvantages also, which must not be lost sight of. The indirect electors cannot have any influence over the result of the election, because they will not know in whose favour their representative has recorded his votes in the election, and thereby a door is opened to deception. Again the procedure will be largely in the nature of a mockery. Also again other abuses are likely to ensue. This is no enfranchisement—even indirect—but sheer mockery and deception. Moreover, the objections to immediate adult-suffrage—if they be valid at all—will apply equally to the indirect enfranchisement contemplated under the group system ; therefore, the submission is that the assumption is incorrect. Moreover, the gradual advances of the kind mean loss of time and perpetration of injustice to the claims of the masses.

If the representatives of the Primary groups are placed in the same constituencies as the directly qualified voters then, *ex hypothesi*—they are more favoured than the rest of the indirect voters, because they lack the franchise qualification and yet will enjoy the right to vote. If, on the other hand, they are placed in separate constituencies, it will only lead to the addition of one more to the already formidable list of separate electorates with their evil consequences.

My acquaintance with the urban area—Bombay City—and the rural areas of the Thana, Kolaba and Ratnagiri Districts makes me believe that the suggested system will hardly be advantageous in the case of the latter and not at all in the case of the former.

Memorandum by Mr. A. N. SURVE. [*Continued.*

(*g*) It is already stated above that the proposal is open to the criticism that it leads to increase in the number of separate electorates, and further, no one from among the parties to be benefited makes a demand for it. And still further, there is no separate interest to protect. For these reasons, I am opposed to it.

(*h*) This course will lead to double elections, and is open to all objections applying to them. If adult suffrage is impracticable, then how is primary group system—which would practically include in its fold all adults except those on the rolls of the direct electors—practicable ? The same objections which apply to the adult suffrage must apply to them also. The system proposed may or may not be practicable but it is certainly not advantageous to give it a trial. Creation of primary and secondary groups will only result in deferring the awakening of political consciousness—if it is not already awakened.

If a person is able to exercise his judgment as to who shall go and vote for him, he can be trusted to exercise his vote in selecting the person who will represent him in the council.

(*i* and *j*) Being opposed to the suggestion in (*f* and *h*) the question does not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) So far as regards rental as distinguished from land tax qualification is concerned, there is a marked disparity in the franchise qualifications in urban and rural areas. A person possessing rental qualification of Rs. 36 per annum in a town is less substantial than a person in a village paying Rs. 36 land tax, and in that matter a person in urban areas has the advantage over the one in rural areas. The remedy is to lower the standard of land tax qualification in rural constituencies.

(*b*) Yes. The ideal could be realised in the case of (*a* and *b*) if adult franchise is not introduced and through (*c*) if it is. In the present state of distrust separate electorates is the only feasible course to avoid bickerings and to preserve peace and good-will among the people. So long as adult franchise is not introduced, reservation in favour of those who need protection must be adopted. Care, however, must be taken that the protection is given to those only who need it and not to those who do not need it. The reservation of seats in favour of the Maratha and the allied castes in this presidency has resulted in benefiting the Maratha as against the allied castes. If adult franchise is not introduced, then reservation of seats should continue, but care should be taken to see that the Marathas alone do not get the benefit of the device at the cost of the allied castes, who really required and still do require protection. The reservation should not only continue, but the number of reserved seats should be increase in view of the facts that the allied castes who were intended to receive its benefit did not get it and also on account of the increase of seats in the councils under the new constitution.

(*c*) Yes. No—the qualification should be lowered.

(*d*) Not at this stage. When free and compulsory education has been in force for 20 years then education may become desirable as a qualification.

(*e*) Not much—but if it is retained I would favour its extension to Auxiliary and Territorial Forces. If the standard of electoral qualification is lowered this qualification would prove superfluous.

3. WOMEN'S SUFFRAGE.

(*a*) I am in favour of increasing the women's electorate to the extent of wiping out the differentiation based on sexes. I approve the proposal of enfranchising wives and widows of electors and I would further suggest the addition of unmarried

daughters. I am not in favour of discrimination as regards age between the sexes and would suggest that women be enfranchised at 21 years. I have always endeavoured to get the 21 years age qualification lowered. I am of opinion that it should be 18 years both for men and women—the age of discretion fixed under the Indian Majority Act.

(*b*) I am opposed to the suggestion contained in 1 (*f*) and would not support its extension to women either in joint or sep arate constituencies.

(*c*) I would prefer steps being taken to give representation to women in a direct manner. Resort to cooption, I would consider as an admission of inability to adopt any other better course. Limit of 5 per cent. is too low. Bombay Government has proved itself too orthodox and conservative in the matter of admitting women as members of the Legislative Council. Except on one occasion and that too for the purposes of an amending bill of the Prostitution Act, no woman has been a M. L. C. during the Reformed Councils or even before then. Government also did not nominate any woman, inspite of there being many among them who by reason of education, ability and standing could have fitly represented the interests of women in the council.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

I am in general agreement with the view, that the new constitution should contain provisions to ensure better representation for the Depressed Classes and that nomination should not be regarded as appropriate.

Government has been apathetic in the matter, and whatever progress was achieved during the reformed councils was the result of the endeavours of the non-official M. L. C.'s —Government being either against or lukewarm.

I think several lists prepared by Government departments of castes considered Depressed are already in existence. All those in the list may be considered as such. Hill tribes, which are not untouchables, should not be bracketed with the so-called Depressed.

I would not include classes other than untouchables in the term Depressed, for the reason that it would create a sort of false security for the former. The latter being more organised than the former will be benefited and the interests of the former will as a matter of fact be sacrificed, though they may appear as protected in the constitution.

If adult suffrage is adopted, there will be no reason to fear that the Depressed Classes will not be able to secure representatives of their own choice. Considering the general treatment they are receiving both at the hands of Government and the public I should go even to the length of extending adult franchise to them immediately, as a special case. The question of joint or separate electorates should be left to their choice, but failing agreement among the different groups making up the Depressed Classes, care should be taken to see that the minority is not left at the mercy of the majority group.

The group system of representation is unthinkable in the case of the Depressed Classes.

5. REPRESENTATION OF LABOUR.

Any extension of franchise short of adult suffrage would connote adoption of devices and measures to ensure protection of special interests including those of labour. Therefore it should be the duty of the well-wishers of the masses who form the ranks of labour to think of measures which will result in the adoption of adult franchise immediately or at least in the near future. The suggestion of representation through group system appears to me to be an admission of justice of the demand for adult suffrage, but which is being withheld for the purpose of retaining their own power and influence by the privileged classes under one pretext or another.

Memorandum by Mr. A. N. SURVE. [*Concluded.*

(*a*) In the City of Bombay Municipal Act provision is made in this behalf and it appears to work satisfactorily. Its extension to other centres, where labour is or could be organised, is desirable.

(*b*) In agricultural labour, it would appear that organisation is not possible and if its interests are to be protected, then adult franchise alone could accomplish that object; but if it is not adopted then reservation of seats for their representatives is the next best course.

5. (*a*) REPRESENTATION OF SPECIAL INTERESTS.

Europeans and bad land-holders may require special provisions to ensure their representation, even after the introduction of adult franchise.

Commerce and University representatives being so few in number are unable to protect the interests of the constituency they represent, except with the cooperation of other members. If they are done away with no great harm will result.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

As regards the allocation of seats—I accept 17 for the upper chamber but would desire to have 32 for the lower chamber on the assumption that the numbers 120 and 200 remain unchanged.

(*a*) Being opposed to indirect elections, I have a preference for direct elections. The present mode appears to work satisfactorily.

(*b*) No—common roll would do. If elections are held simultaneously, there would be a saving in expenditure of time, money and labour of all concerned.

(*c*) I do not approve of the mixture of direct and indirect elections for urban and rural constituencies. I would desire the retention of territorial constituencies, with the addition of special constituencies for special interests, *e.g.*, Women, Labour, Depressed Classes and the Maratha and the allied castes.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

Assuming that the advance in franchise will be to some figure between 10 and 25 per cent. then there will remain the need of giving special representation to these interests. It is a matter of pity that the present constitution does not contain any provision in this behalf. This omission should be remedied. Along with the interests enumerated—the interests of the Maratha and the allied castes also require protection.

Memorandum submitted by the MUNICIPAL CORPORATION of Bombay.

Before dealing with the specific questions raised in the questionnaire the Corporation would like to observe with regard to a statement appearing in the first paragraph thereof under the head I.—Provincial Legislature.

1. Extension of Franchise, to the effect that "the Franchise Sub-Committee of the Round Table Conference considered that adult suffrage was the goal which should ultimately be attained, but the majority thought that it was not possible to reach that goal immediately", that the Corporation agree with the opinion of the Franchise Sub-Committee but they consider that the goal should not be a remote one and that if after 10 years any legislature passed a resolution that adult franchise should be introduced, effect should be given to that resolution.

Memorandum by the MUNICIPAL CORPORATION of Bombay. [*Continued*

PROVINCIAL LEGISLATURES.

I. EXTENSION OF THE FRANCHISE.

With regard to these questions the Corporation beg to state as follows :—

(*a*) The present electorate of the City for the Bombay Legislative Council numbers 133,807 out of a total population of 1,161,383. The electorate thus already exceeds 10 per cent. of the population. The question of extending it to that limit does not therefore arise.

(*b*) Broadly speaking the Corporation are of opinion that this electorate is quite capable of casting an intelligent vote. The results of the recent municipal elections which are held on almost the same franchise confirm this opinion.

(*c*) The present electorate has been in existence for nearly a decade and no serious difficulty has been experienced in the preparation, maintenance and revision of the electoral rolls and the recording and counting of the votes.

(*d*) Does not arise.

(*e*) The Corporation have hitherto discountenanced all proposals for a further extension of the franchise. They however are of opinion that since further political advance is inevitable and a wider electorate is considered to be a condition precedent to such advance, further extension of the franchise is desirable ; and would recommend that the present franchise for the City, *viz.*, the occupation of premises of the monthly rental value of not less than Rs. 10 be so lowered as would double the total strength of the present electorate. The Corporation consider that with adequate machinery and by reducing the size of the present constituencies, no serious difficulty will arise in giving effect to the extension of the franchise as proposed by them.

(*f*) The Corporation are of opinion that the proposed system of grouping unenfranchised adults for the election of representative members who would be entitled to vote in the provincial elections, would present serious difficulties in a large city like Bombay. Assuming that the franchise is extended as suggested above the number of unenfranchised adult citizens will be about 4 lakhs. The preparation of a list of these persons formed into suitable groups, in addition to the preparation of the roll of regular voters will be a formidable task, the difficulties of which only those charged with the preparation of the present roll numbering less than 140,000 men can properly appreciate. The formation of the unenfranchised mass into groups of 20 each would give roughly 20,000 groups. To conduct the elections of these groups, to prepare a roll of their 20,000 representatives, and to insert their names in their proper places in the general roll would, the Corporation fear, prove a herculean task which cannot be undertaken without a good deal more experience than has been available up to the present. The formation of the groups will be a matter of no small difficulty ; and the restriction of the group to a particular number might involve the splitting up of one family or tenement between two groups. This might present no difficulty in the rural areas where the population is practically stationary and the residents are known to each other. But such will not be the case in Bombay with its large floating population and residents who change their quarters frequently.

If however the system is decided upon, the Corporation are of opinion that the group electors should vote in the same constituencies as the directly qualified electors, and not in separate constituencies composed of the group electors only.

(*g*) The Corporation are not in favour of the proposal that in the event of separate constituencies being framed for group electors, only group electors should be qualified to stand as candidates for such constituencies. The mass of unenfranchised people being mostly illiterate, it is not unlikely that the electors selected by

Memorandum by the MUNICIPAL CORPORATION of Bombay. [*Continued.*

them would also be illiterate. The restriction of the candidates to such electors would therefore lead to a distinct lowering of the calibre and influence of the legislatures.

(*h*), (*i*) & (*j*) It has been pointed out above that the Corporation do not approve of the system of grouping unenfranchised adults referred to in question (*f*). They do not therefore approve of the suggestion made in question (*h*) for the adoption of the group system in the case of all adults also. Replies to questions (*i*) and (*j*) do not therefore arise.

II. FRANCHISE QUALIFICATIONS.

(*a*) The Corporation do not consider that the franchise qualification for Bombay City is unduly high as compared with rural qualification in the Presidency. But the same cannot be said of the qualification for other urban areas. The qualification for Karachi City is a rental value of Rs. 5 per month and for other urban areas Rs. 3 per month only. The lowering of the franchise in Bombay as recommended by the Corporation in reply to question (*e*) above, would to some extent remedy this disparity. On the other hand the retention of the present franchise in Bombay and its lowering in other areas, rural or urban, would create or accentuate a disparity, which it is desirable to avoid.

(*b*) The Corporation are not in favour of the proposal that if communal electorates are retained, each community should be given a voting strength proportionate to its number, and that the franchise system should be so contrived as to secure this result. The fixing of a varying franchise for different communities is, in the opinion of the Corporation, objectionable as it puts a premium on poverty and ignorance and unfairly penalises the more advanced communities. The proposal, moreover, seems unnecessary as, if the electorates are separate, the number of voters therein is not very material so long as the extent of the representation does not depend upon it.

(*c*) In the opinion of the Corporation the possession of property, though not an absolute test of fitness for the franchise, is the most convenient test and should be retained until adult franchise is reached. The existing property qualifications are accordingly suitable in principle.

(*d*) The introduction of a qualification based on education independently of property, seems *primâ facie* a suitable method of enlarging the electorate; but the Corporation are of opinion that such a qualification would largely overlap the existing property qualification, and would not therefore be of much practical value. In view, moreover, of the danger in this country of arousing claims for representation based on various standards, the Corporation consider that it would be safest on the whole to adhere to the property qualification.

(*e*) As regards the question of retaining the existing military service qualification or extending it so as to include service in the Auxiliary and Territorial Forces the Corporation are of opinion that military service qualification should not be retained as such but that persons in military service or in Auxiliary and Territorial Forces, who are not otherwise enfranchised, might be given the right of voting on the basis of an assumed rental payable in respect of their quarters.

III. WOMEN'S SUFFRAGE.

(*a*) The Corporation are not in favour of the proposal made by the Statutory Commission, *viz.*, that the wives and widows (if over 25 years of age) of men entitled to vote under the property qualification, should be enfranchised. The proposal would, in the opinion of the Corporation, largely create duplicate votes without giving effective representation to a separate interest. The lowering of the franchise on the lines recommended by the Corporation would, in their opinion, automatically increase women's votes. As regards the proposal that an educational qualification

should apply to women over 21 as well as to men, the Corporation recommend that women over 21 years of age who are able to sign their names should be enfranchised.

(*b*) The Corporation have already expressed their opinion on the proposed group system. The formation of separate groups for women would, they consider, make the system more difficult to work. If however the system is adopted, women should be included in the same groups as men.

(*c*) The Corporation are not in favour of legislatures co-opting women members even as a temporary measure in the manner referred to in the question nor do they consider it necessary that seats should be reserved for them.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The lowering of the franchise as proposed by the Corporation would materially increase the Depressed Class vote; but perhaps not to the extent of enabling these classes to secure sufficient representatives of their own class in the general electorates, and although the Corporation are on principle against separate electorates or reservation of seats and are in favour of joint electorates, they consider that the only way of securing adequate representation for the Depressed Classes is the reservation of seats for these classes in the general electorates. The Corporation therefore recommend that seats should be reserved for the Depressed Classes for a period of 10 years only and that those classes only which are described as " untouchables " in the Starte Committee's Report should be considered as Depressed Classes. As regards the application of the group system of representation to the Depressed Classes the Corporation beg to submit that apart from the general objection raised by them to the group system, they are of opinion that the restriction of that system to Depressed Classes only would be even more difficult than its general application. The groups to be formed would not be contiguous as in the case of the general population; but might be spread over some distances, thereby creating confusion both in the preparation of the roll and at the time of group elections. The enrolment of the unenfranchised section of those classes would involve inquiries into their caste and professions which, experience shows, are resented by these ignorant persons. The difficulty arising out of their frequent change of habitation would further complicate matters. The Corporation are therefore not in favour of applying the system to these classes.

5. REPRESENTATION OF LABOUR AND REPRESENTATION OF SPECIAL INTERESTS.

So far as the City is concerned, the Corporation are of opinion that even on the present franchise the organized industrial labour is quite capable of looking after itself, and that no special representation for it is called for. This would be especially so after the franchise is lowered as proposed above. Experience of the special representation granted to Trade Unions under the City of Bombay Municipal Act, 1888, does not show that the system has been a great success or has aroused much enthusiasm among the classes concerned. Out of the 12 Unions of manual workers entitled to representation in 1929, only 5 submitted their rolls of members within the time fixed by the Statute; two sent their rolls too late; while five did not submit them at all. The corresponding figures for the current year are 16, 4, 6 and 6 respectively. The maximum number of delegates, *i.e.*, 80 in 1929 and 69 this year, was selected; but out of the four present representatives elected in 1929, three are not manual workers. The election held in the current year shows that out of the four representatives elected, none is a manual worker.

The Corporation would again like to make it clear that although on principle they are not in favour of special representation being given to any special class or institution except the University, they will have no objection to special representation being given to labour, if the special representation in commercial and landed interests is to be continued.

Memorandum by the MUNICIPAL CORPORATION of Bombay. [*Continued.*

II.—FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO THE BRITISH INDIAN PROVINCES.

(*a*) Until recently a system of co-option by a transferable vote existed in the Corporation but from the experience gained, the Corporation are not inclined to support the proposal that the representatives of the British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislatures by this method. In the case of a limited electorate like the Provincial Legislative Council, the proposed system would put a premium on assiduous canvassing; and would not result in the election of the persons best qualified for election. The advantage which a system of transferable vote confers on small minorities can, in the opinion of the Corporation, be secured by a system of cumulative voting. If the franchise for the Upper Chamber is fairly high, as at present the electorate is naturally small, and no difficulty arises from the mere fact that the electorate is spread over a large area. The Corporation therefore are of opinion that the present system of election of the members of the Upper Chamber should in the main be retained, though the Local Legislative Council may form an additional constituency for the return of some members.

(*b*) The Corporation are of opinion that the franchise qualification for the Lower Chamber of the Federal Legislature should be the same as that for the Provincial Legislature and that as at present there should be direct representation to the Lower Chamber and that the primary voter should also be the elector.

With regard to the franchise for the Upper Chamber, the Corporation recommend that the existing franchise for the Council of State of Rs. 30,000 should be lowered to Rs. 15,000 for the Upper Chamber, when constituted, in the case of Income Tax, and of Rs. 2,000 to Rs. 500 in the case of Land Revenue, and in addition Fellows of Universities, Principals and Professors of recognised Colleges, Head Masters of recognised schools, Presidents of City Municipalities and District Local Boards, etc., should also be enfranchised for the Upper Chamber.

(*c*) The Corporation concur in the recommendations of the Federal Structure Committee that the election to the Lower Chamber of the Federal Legislature should be direct and by territorial constituencies consisting of qualified voters. The present drawbacks of this system, *viz.*, the large size of some of the constituencies, resulting in difficulties of canvassing and maintaining contact between the representative and his constituents are admitted; but the Corporation consider that the remedy lies in increasing the size of the legislature rather than adopting a system of indirect elections. The suggested size of the Lower Chamber of the Federal Legislature, *viz.*, 200 members is, in the opinion of the Corporation, utterly inadequate to secure a proper representation of a population of 247 millions for the whole of British India. The proposed representation works out at one member for a 1·25 million of the population. The corresponding figures for some of the well-known legislative assemblies of the world are as follows:—

Country.	No. of members.	Ration of members to population.
British House of Commons	615	1 to 70,000
U. S. A. House of Representatives . . .	460	1 to 2,58,000
French Chamber of Deputies	587	1 to 69,400
German Riechstag	493	1 to 1,12,800

Memorandum by the MUNICIPAL CORPORATION of Bombay. [*Concluded.*

The difficulties of securing representation in the Indian Assembly on the above scale are obvious. But a strength of 400 does not seem too excessive and would largely eliminate the difficulty arising out of the present size of the constituencies. The Corporation therefore recommend that the strength of the Lower Chamber should be increased to 400 members.

The system of indirect election precludes all contact between the candidate and the primary electors, and to that extent negatives the educative value of the vote. In voting for the local representatives, the voter would be influenced merely by the personality of the local representative, or by village politics. There would be little scope for him to gain an insight into the larger issues involved in the election by the Legislatures.

The proposed number of seats allotted to the Bombay Presidency is, in the opinion of the Corporation, inadequate for a proper territorial representation of the Presidency. The number allotted would merely admit of one seat being allotted to each district with no seats to spare for important urban centres like Bombay City, Ahmedabad, Karachi, etc. On the other hand, if seats are allotted to these areas out of the proposed number some of the districts would have to be grouped together for the purposes of representation, thereby creating unwieldy constituencies. The Corporation would suggest that for rural areas a district should form the unit of representation for the Lower Chamber of the Federal Legislature, and that extra seats should be found for important urban centres.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES, ETC.

The Corporation have nothing further to add with regard to the representation of women, labour and depressed classes and other interests at present specially represented in the Central Legislature beyond what they have already recommend.

Memorandum submitted by the KARACHI CHAMBER OF COMMERCE, Karachi.

I am now directed to advise you that your Questionnaire has received this Chamber's renewed consideration, and to express the following opinions:—

The replies carry the same numbers as the questions:—

1. (*a*) Payment of income tax; payment of direct land revenue of not less than Rs. 30 per annum; receipt of a Government pension for Military or Civil service; holding of a British or Indian title of honour; life insurance for not less than Rs. 2,000; personal grant for life for public service by the Governor-in-Council.

(*b*) Not wholly, but as nearly as possible under Sind conditions.

(*c*) Yes, and inexpensively, by reason of the existence of nominal rolls of income and land tax payers.

(*d*) Does not apply in view of answer to (*b*) and (*c*) above.

(*e*) No, not in Sind.

(*f*) No, because we wish the basis of representation to be direct taxation, and also because we fear the group system will lead to abuse.

(*g*) No, but candidates should have a residential qualification and should be registered as voters in the constituency for which they stand.

(*h*) No.

(*i*) Does not apply in view of answer to (*h*) above.

(*j*) Does not apply in view of answer to (*h*) above.

2. (*a*) Yes, the rural voters are too few and have insufficient representation as compared with the townsmen.

(*b*) No, in both cases. On the basis of the franchise which we advocate in 1 (*a*) the Mohammedans should enjoy a fair majority of representatives, but not an overwhelming one at the expense of the *intelligentsia.*

(*c*) Yes; property as shown by the payment of taxes.

(*d*) No. The education that does not enable the educated *man* to earn enough to pay income-tax at the present limits is not civically valuable.

(*e*) Yes, but the service in the Auxiliary or Territorial Forces must be of a sustained and substantial kind; not merely keeping a few drills as a student.

3. (*a*) An educational qualification might be added for married women over 21 and widows, *i.e.*, Matriculation or similar examination. This should only be allowed when claimed and supported by the husband (if living), to prevent family disputes owing to the peculiar nature of family conventions in Sind.

(*b*) Does not apply in view of previous answers.

(*c*) Nomination by the Governor-in-Council would be better. The majority would be inclined to utilise co-option merely as a means of strengthening their majority.

4. Nomination by the Governor-in-Council remains at present the only possible method of real representation in the Legislature of Depressed Classes, at all events in Sind.

5. Nomination by the Governor-in-Council. A representative of fishermen should be included, as the economic grievances of this class are serious.

5. (*a*) In Sind only the special representation of Commerce, by election, arises. It should be maintained.

6. (*a*) Are the representatives on the Federal Legislature to be the representatives of the several component parts (Provinces and Native States) or of private electors within such areas? This Chamber agrees with the proposal of the Federal Structure Committee.

(*b*) The Provincial (or State) legislature would be the Electoral College for this purpose, but their choice ought to be limited to registered electors within the Province (or State).

(*c*) Is it proposed to make the franchise a fundamental constitutional law unalterable by the Legislatures concerned? If not, a start could be made with the Provincial Legislatures as the Electoral Colleges for the Federal Legislature. Thereafter under "autonomy" they will thresh such problems out for themselves in the light of experience.

Bengal.

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Note by the Government of Bengal on procedure at elections in Muhammadan and non-Muhammadan constituencies of the Bengal Legislative Council.

The dates of nomination and scrutiny are uniform for all constituencies throughout the province and are fixed by the Governor in Council. Separate polling days are appointed by the Governor in Council for Muhammadan and non-Muhammadan constituencies. These dates are chosen, so far as possible, to suit the convenience of the various districts and they need not be the same for every district. Each constituency is divided into polling areas to provide, so far as is practicable, a polling station within 7 miles of every elector. To enable this to be done, two days have to be allotted to some constituencies, but in others one day is sufficient. The determining factor is the number of presiding officers available. The following classes of officers are usually appointed presiding officers :—

Deputy and Sub-Deputy Collectors.
Subordinate Judges and Munsifs.
Selected Honorary Magistrates.
Selected Sub-Registrars.
Professors and Lecturers of Government Colleges
Second Inspectors of Schools.
Selected Head Masters of Government Schools.
Assistant Registrars and Inspectors of the Co-operative Department.
Superintendents and Inspectors of the Excise Department.
Assistant Engineers of the Public Works Department
Retired Gazetted Officers.

2. The division of constituencies into polling areas is made by the Returning Officers who are District Officers in the mufassal, and the Chief Presidency Magistrate, Calcutta, in Calcutta, in the light of local conditions. In the mufassal one polling station embraces two or more Unions or Municipal Wards. Where more than one day is allotted to a constituency each presiding officer is given two areas, the dates of polling being so arranged as to allow him to move from the first area to the second, a necessary precaution in districts with indifferent means of communication. Where only one day is allotted, the Presiding Officer is given only one area. The limit of the capacity of a presiding officer to record votes in one day is taken to be 350 votes in a rural area and 480 votes in an urban constituency, where the electors are expected to be more literate. During the elections in 1929, in 15 districts, *e.g.*, Bakarganj where there were 160 polling stations two days were allotted for each constituency. In 8 districts, *e.g.*, Nadia, where there were 59 polling stations, one day was allotted for polling in each constituency.

3. In 1929 the polling hours were fixed at 8 A.M. to 5 P.M. for Calcutta and other urban areas and 12 noon to 5 P.M. for rural constituencies as the elections were held in the middle of the hot weather. On previous occasions the hours were from 8 to 5 in Calcutta and other urban areas and 10-30 to 3-30 in rural areas. The polling days are not declared to be public holidays, but facilities are given to Government servants to record their votes.

4. The polling stations are selected by the Returning Officers. As far as possible school houses, registration and Municipal offices are utilised for polling stations. In the absence of such buildings enclosures are erected.

5. A polling station consists of two enclosures. The public are admitted to the outer enclosure, while the inner enclosure is reserved for the Presiding

Officer, the Polling Officer (if one is appointed to help the Presiding Officer) and the candidates or their agents. The inner enclosure contains a compartment, where the voter marks his paper; this is screened off from the rest of the enclosure. The ballot box is on the Presiding Officer's table. This is a cylindrical metal box, similar in design to the village post box and so constructed that a paper once inserted in it cannot be extracted until the box is opened.

The Presiding Officer is also provided with ballot papers, electoral rolls and a percussion press. The ballot papers contain the names of the candidates arranged in alphabetical order according to their surnames and are printed locally. The counterfoils and outer-foils of these papers are numbered serially, bound in books and so distributed that there are no duplicate numbers in any one constituency. The percussion press is for stamping the official mark on the ballot papers at the time the votes are recorded, so as to ensure their authenticity.

6. Immediately before the station is opened for polling the Presiding Officer reads out the relevant section of the Indian Election Offences and Enquiries Act, 1920. He then locks and seals the ballot box. He then admits the voters one by one to the inner enclosure. He ascertains by a reference to the electoral roll, that a person is entitled to a vote in that constituency. He then marks the back of the ballot paper (outer-foil) with the official mark and hands it over to the voter. The Presiding Officer notes in the corresponding counter-foil the number of the elector on the electoral roll, and the names of the constituency and polling station. He also marks the electoral roll to show that that particular voter has received his ballot paper. The voter marks the paper in the compartment set apart for the purpose and places it in the ballot box. He then leaves the enclosure by a separate exit.

If the voter is illiterate, the Presiding Officer accompanies him into the compartment and marks the paper according to his instructions.

7. Tendered ballot papers are used only when a person claims to be an elector in whose name a vote has already been recorded or is challenged on the ground of personating a voter and fails to satisfy the Presiding Officer as to his identity. Such papers are not placed in the ballot box but kept in a separate packet.

8. At the time appointed for the conclusion of the poll, the outer enclosure is closed and no one else admitted into it. But the votes of those who are already in that enclosure are duly recorded.

9. When all the votes have been recorded in this way, the Presiding Officer sews up the ballot box in gunny and seals it. He also seals up in separate packets the unused ballot papers, counterfoils, electoral roll, etc., and sends them all with the ballot box to the Returning Officer.

10. On the day fixed for counting the votes, the Returning Officer reads out the section of the Election Offences and Enquiries Act in the presence of the candidates, their agents and one person nominated by each candidate. He then proceeds to have the ballot boxes opened in his presence and verifies the number each contains by the statement supplied by the Presiding Officer and the number of unused ballot papers returned. When all the boxes have been opened and the papers mixed together they are distributed amongst the officers deputed to assist the Presiding Officer and sorted by them according to the candidates. Each candidates' votes are then counted and placed in bundles of 100 each. The Returning Officer scrutinises any vote which the assistants consider liable to rejection and decides whether they are to be rejected or accepted. The candidates and their agents are also given an opportunity during the counting of claiming the acceptance or rejection of any particular ballot paper. If any papers are rejected, the Returning Officer notes the reason on the back of them.

11. The Returning Officer finally calculates the total number of votes and declares the result, which is communicated to Government.

Note by the GOVERNMENT OF BENGAL. [*Continued.*

12. The duties of a Presiding Officer are—

(*i*) to keep order at the polling station;

(*ii*) to regulate the admission of electors;

(*iii*) to exclude all unauthorised persons.

For these duties he is given a head constable within municipal limits or a daffadar and some chaukidars with one or two constables in rural areas, according to the requirements of the locality.

(*iv*) to see that opportunity is afforded to all electors who may wish to record their votes;

(*v*) to maintain the strict secrecy of the ballot;

(*vi*) to see that election is free and unrestrained;

(*vii*) to assist the illiterate or physically incapacitated voter to record his vote.

13. Presiding Officers are allotted on the basis that 75 per cent. of the electorate will vote and that one officer is able to record 350 votes in a day in rural areas and 480 in urban areas: there is the further consideration that a polling station should be, as far as possible, within 7 miles of every elector.

The following table gives the figures for those districts which had one day constituencies only in the 1929 election :—

District.	Presiding Officers and Polling stations.	Electorate in constituencies.	
		Non-Muhammadan.	Muhammadan.
Tippera . .	90	13,762	20,471 (2)
Rajshahi . .	46	10,867	25,927 (2)
Chittagong . .	82	13,265	28,554 (2)
Murshidabad . .	49	18,434	12,562
Nadia . .	59	26,779	19,442
Pabna . .	42	(*a*)	14,224
Noakhali . .	51	7,356	17,437 (2)
Jalpaiguri . .	35	10,952	(*a*)

The number (2) indicates that the district was divided in two constituencies.

(*a*) Figures not given as the constituency comprised more than one district.

As the elections for the non-Muhammadan and Muhammadan constituencies were held on different days the same Presiding Officers did duty for both classes of election and their number would therefore be determined by the larger of the two electorates.

14. Figures for the polling stations and electorate of certain typical districts in which the polling extended over two days are given below :—

District.	Polling stations.	Electorate in constituencies.	
		Non-Muhammadan.	Muhammadan.
Bakarganj .	160	29,770 (2)	61,601 (3)
Midnapore .	123	47,314 (3)	(*a*)
Mymensingh .	163	33,027 (2)	65,787 (4)

Note by the GOVERNMENT OF BENGAL. [*Concluded.*

Districts.	Polling stations.	Electorate in constituencies.	
		Non-Muhammadan.	Muhammadan.
24-Parganas—			
Urban	43	25,293 (2)	6,384 (2)
Rural	83	31,607 (3)	14,320
Howrah—			
Urban	20	14,585	(*a*)
Rural	29	12,481	(*a*)
Jessore	79	21,849 (2)	26,929 (2)
Khulna	47	23,806	18,509

(*a*) Figures not given as the constituency comprised more than one district.

(2), (3), (4) represent number of constituencies within the district. The records available do not show how many polling officers were actually employed.

15. Instructions issued to the Returning Officers and Presiding Officers together with specimen copies of ballot papers during the general election of 1929 are attached. No identification paper is used.

CALCUTTA.

Dated 16th February, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE BENGAL PROVINCIAL FRANCHISE COMMITTEE.

Mr. H. R. WILKINSON, C.I.E., I.C.S., Education Secretary to the Government of Bengal.

Mr. A. S. LARKIN, I.C.S., District Magistrate, Hooghly.

Babu HRIDAY RANJAN SEN, Deputy Magistrate and Deputy Collector, 24-Parganas.

Babu KARALI CHARAN GANGULEE, Deputy Magistrate and Deputy Collector, 24-Parganas.

Babu SUDHANSU MOHAN MUKARJEE, Circle Officer, 24-Parganas.

1. *The Chairman:* I understand this Memorandum entitled, "Procedure in regard to Elections, Bengal Legislative Council", represents your memorandum. You say you can only poll 350 rural and 480 urban votes in a day. In Bihar & Orissa they say that they can poll between 800 and 1,000. As far as I can see, on reading this memorandum and comparing it with the Bihar & Orissa one, the difference lies in this, that the polling officer has to write the name of the constituency, and the individual voter has to make a cross on the polling paper, if he is literate. Under the Bihar & Orissa system none of those things are done. As far as I understand it, the difference between Bihar & Orissa is this—the voter comes in and goes to the clerk who finds out his name and locates him on the electoral roll. Unless there is an objection raised, a number is then given to the voter who goes to the polling officer who writes the number in his register. He ticks off the name, gives the voter a ballot slip, and the voter then goes to the polling booth and drops it into one of the ballot boxes, each candidate for the legislature having a ballot box. Nothing is written by the presiding officer as to the constituency or the polling station, and the voter has not got to make any mark on the paper. The reason why they are able to poll twice as many people as you are able to is because they eliminate those particular steps, and no objection is raised to the system. Have you any comments to make on the matter?—(*Mr. Wilkinson*): I think one reason why the number is low is because the proportion of illiterate voters is too high. Nearly 50 per cent. of the voters are illiterate.

2. The advantage of this system is that very little can be done by the presiding officer by way of writing. The voter is given a voting slip, and all he has to do is to go to the polling booth and drop his vote into the box, the boxes are in different colours, and if he is literate, there is the name of the candidate on the box. Do you see any serious objection to that system?—No, I don't think so. In one constituency the experiment was tried of having the names written in different colours, and the objection was raised that a particular colour might attract voters more than another!

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3. Lucky and unlucky colours!—A further objection would be that the secrecy of the ballot would be lost, as it would be seen whom the voter was voting for.

4. Not necessarily so. The boxes could be arranged behind a curtain and he could choose either a red or green or yellow box. If he should happen to be colour-blind he might want assistance, and could get somebody to help him. Under your system the voting paper contains the name of the candidate and he has to put a cross opposite the one which he wants to vote for. Under this system each candidate has a different box.—I see no great objection to it. May I, however, ask Mr. Sen to address you on this matter?

(*Mr. Sen*): Many of the voters are illiterate; while going to drop their vote into one box they may easily drop it into another. That would be one objection.

5. A candidate's agent cannot make this clear to a voter?—(*Mr. Sen*): We do it, but still many of the voters do things in the wrong way. At the time of counting we find many mistakes. If a mistake is committed there is no way to remedy it, as, for instance, if a voter wanted to vote for a particular person and dropped his vote into the wrong box, there is no remedy.

6. *Diwan Bahadur Ramaswami Mudaliyar:* These boxes are often in such dark places that it is very difficult to distinguish one from another. Mr. Sen will bear me out in this.—(*Mr. Sen*): So far as Bengal is concerned, there is one advantage in continuing the present system, because the existing procedure has become familiar to the people and they know how to vote. For the first election there would be a good number of mistakes, with any new system.

7. *The Chairman:* The reason why I asked you the question is that because it is not possible for the same staff to poll the same number of voters. I think you might give us your opinion later on as to how far a system of that kind would be practicable in this province.—(*Mr. Wilkinson*): Mr. Larkin has a suggestion, to substitute for the coloured boxes separate turnstiles.

(*Mr. Larkin*): You could have three compartments, one for the voter, and one for the check by the presiding officer and one for the turnstiles. In the case of a literate person he would go into the particular turnstile where he wanted to vote. If the person was illiterate he could be told what a particular turnstile represented.

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8. The important point is whether a system makes it easier for you to poll a large number. You might give some consideration to this and give us your views later on.* The essence of the thing is the simplification of the procedure, both for the returning officer and the voter. I notice you say that the polling hours are only five hours of the day in rural areas. Is that one of the reasons why you are only able to poll 350 votes in the rural area and 480 in the urban.—(*Mr. Wilkinson*): It is because at each polling station there are no more than that number. The number at the polling stations is governed very largely by the distance of the farthest elector from any one polling station.

9. Supposing you increased the franchise, it would mean more voters, and unless you are going to be brought up against a limitation, you would have more voters in a day. Is it possible to pursue the English practice of having the station open for more hours?—Yes, if you had longer hours and give them an interval, that would be possible.

10. You could lengthen the hours which are now from 12 to 5?—(*Mr. Sen*): You might have two periods from 7 to 11, with a little respite and from 2 to 6. If the hours were extended we could poll double the votes.

* Appendix, pages 528—532.

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11. With your existing method could you poll 1,000 votes per day?—I think we could.

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12. You have not given us your considered view of the total number which it is possible for you to poll per day with the staff which in your judgment is capable of being used for the presiding and polling officers. The Franchise Committee of the Round Table Conference wanted to know whether it was possible in practice, administratively, to poll 10 per cent. of the population of Bengal. That would mean 5 million voters. In order to do that, you would have to get so many presiding officers, so many polling officers, so many clerks, so many buildings, so many police to supervise the polling stations to prevent disorder. Could you give us your considered opinion as to what it is possible to poll per day, using everybody fit to discharge his office with competence and responsibility?—(*Mr. Wilkinson*): Yes. As far as buildings are concerned, there is no difficulty. The only question is that of the presiding officers and having a sufficient number of days.

13. I asked you per day. How many people could you poll per day, with a ten-hour polling period. Is that clear?—Yes, Sir.

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14. *Diwan Bahadur Ramaswami Mudaliyar:* I understand that, at present, the election day is not a Government holiday in this province, whereas it is a Government holiday in some other provinces.—It is not.

15. Would you give us the number of presiding and polling officers available in the province for election duty?—Yes.

16. May I know the qualifications necessary for a presiding officer?—The officers in the higher grades are considered to be qualified for the purpose and, of course, we are allowed to use people like sub-inspectors of schools.

17. Sub-Registrars?—Yes.

* * * * * * * *

18. Supposing the coloured ballot boxes system is introduced and coloured boxes are kept behind a screen by the side of the presiding officer and then the voter puts his voting paper in the particular coloured box he likes, would it not obviate the necessity for the presiding officer walking with the illiterate voter to the screen every time?—But the elector must know which box is which.

19. The agents of the candidates will take care of that. When they conduct elections on that basis, there will be marks put in different colours everywhere in the district by the candidates or their agents to distinguish one candidate from the other. The agents will take care to tell the illiterate voters, before they enter the polling booths, which colour represented their candidates.—It may be so.

* * * * * * * *

20. *Khan Bahadur Aziz-ul-Huque:* You are probably aware that in the Bengal municipalities, the ballot system is now prevalent?—It has been introduced.

21. And that elections are conducted by non-officials and to a certain extent, by officials?—Yes.

22. Has there been any complaint at any of these municipal elections that the polling officers manipulated the votes?—My experience is that it is seldom left in the hands of non-officials. There is the scrutiny by the chairman and the vice-chairman.

23. Could you not find out to what extent non-officials can be utilised for the purpose of running these elections in urban areas?—They are not taking interest in the elections.

24. But you can find out a certain number taking interest.—Yes, there will be a certain number.

25. You find that the present system of election works well?—Yes.

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26. If you extend the time in the afternoon, I take it that more electors will come to the booth in rural areas?—I doubt whether, with the present electorate, you would get any more voters coming to the polling booths.

27. If you increase the electorate, you will find more voters?—Yes.

28. What are the usual working hours in the villages for cultivators?—Their working hours in the morning are up to 12 o'clock.

29. So, naturally, if you keep open the polling booths for longer hours in the afternoon, you will get more people coming to the booth?—Yes.

30. Therefore, the hours suggested by Mr. Sen, from 7 to 11 and 2 to 6 or 7 will probably bring in a larger number even if the electorate is the same?—I do not think at present it would make any difference if you altered the hours.

31. I take it that your view is that you can get any number of polling clerks?—I cannot say.

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32. *Lord Dufferin:* Do you agree with what is stated at page 146 of the Report of the Working of the Reformed Constitution in Bengal, 1921-27?—This is what is stated there:

"To provide a sufficient number of presiding officers for the elections, it is necessary to employ practically all members of the Bengal Civil Service of both the judicial and executive branches, and of the Subordinate Civil Service, besides selected Sub-Registrars and gazetted officers of other departments, except the Police. The work of a general election thus throws a great strain on the Civil Services throughout the Province and involves a suspension of ordinary business from two to five days. As the franchise is extended, the administrative difficulties will increase."—From my own experience, I would not regard the ordinary business as suspended. The offices are open. In the judicial offices, however, we do not post any case on those days. Immediately before and after an election, cases are not posted.

33. But if, as is stated in the Report, we have to use all the Civil Services for the election, business must be paralysed. It is necessary to avoid that, if by extending the franchise, we increase the number of voters for each polling station?—Yes. I agree with you.

34. *Sir Ernest Bennett:* It is stated in the Report that endeavour is made in rural areas to see that there is a polling station within 7 miles of every voter. Can you not get much nearer to the voter?—Not with the present number of presiding officers.

35. But if you could get nearer you could get more votes. Apart from the question of presiding officers, will the expenditure of installing booths, be considerable?—If we use school-houses, sub-registrars' offices and Kothwalls' cutcherries, not much of expenditure will have to be incurred.

36. *Lord Dufferin:* It is stated at page 148 of the Report that in other provinces, women electors do not exercise the franchise, because they do not like to go to the same booth as men. Here in Bengal, there are separate booths in the villages for women?—No, separate entrances.

37. *Major Milner:* Would you kindly include in the note* which you are sending up to the Chairman one paragraph showing the number of women presiding officers and clerks of a suitable character who would be available for polling duties?—Yes. It would be very difficult in mufassal areas to get women to preside at elections.

38. Can you give roughly, later on, the number that you could possibly get?—Yes.

* Appendix, pages 528—532.

16th Feb. 1932.] MESSRS. H. R. WILKINSON, A S. LARKIN Babus HRIDAY RANJAN SEN, KARALI CHARAN GANGULEE AND SUDHANSU MOHAN MOHAN MUKARJEE. [*Continued.*

39. The Report says that in spite of the fact that you had separate arrangements made in Calcutta, very few *purdanashin* women recorded their votes, and that those that did were not of a respectable character. Therefore the lady presiding officers found their duties distasteful and the education department has refused to lend their services. Do you agree with this?—Yes.

40. So that there would be even greater difficulty in getting women presiding officers and polling officers than there was in the last election?—It will be just as difficult, but it will be more difficult to get an increased number; because, I think, in no district was any woman presiding officer used. It was only in Calcutta, I think, that women presiding officers were used.

41. Is the statement made in the Report that the Education department would not allow their women officers to serve at the elections, correct?—Yes.

42. So, the women officers in the colleges and schools could not be used?—Yes.

43. Then there would be great difficulty in getting polling booths for women separately?—I should think so.

44. You have separate arrangements for women in polling booths?—We have separate exits and entrances.

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45. In the villages it would be possible to have women polling clerks and men presiding officers?—It would be impossible.

46. *Mrs. Subbarayan:* Is the objection of the Department of Education based on public opinion or is it the opinion of the department?—I could not tell you that. The department themselves objected. They anticipated that their own teachers would not like to record votes. It appears that the lady presiding officers objected and so the department stated this. It was stated that the lady presiding officers found their duties distasteful and so the Education department refused to lend their services.

47. But, as regards the using of schools, was there any objection on the part of the public or from the parents of the children?—I could not tell you at all. I imagine that the Education department anticipated that there would be objection even if they had none themselves.

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48. *Sir Zulfiqar Ali Khan:* By enfranchising 10 per cent. of the population, you calculate that you will have 5 million voters?—About that.

49. Would it be possible to increase the number of polling and presiding officers?—I should say, no. What we can at best do would be this: we could pool the resources of two districts and employ all of them in one district on one day and in another district later.

50. *The Chairman:* Have you given any consideration to the technical problem of carrying out the indirect group system which is recommended by the majority of the provincial committee? They have proposed that the adult population should be formed into groups of 20. Have you examined the question carefully?—We have not examined it carefully. Our first impression is that it would not be workable.

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51. *Mr. Mallick:* What is the longest distance in the rural area that a voter has to travel to record his vote?—In some parts it is 15 miles.

52. In the rural areas the voters are mostly illiterate?—That is so.

53. And many of them have no idea of time and so, they arrive at the polling booths after the scheduled time?—I should say, lack of interest.

54. Has there not been a case where, as they arrived at the booth after the scheduled hour, they were refused ballot papers?—I have not heard of it.

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55. In your memorandum you speak about the location of polling booths. Is it not a fact that landlords' offices are also used as polling booths?—Yes, if no other house is available.

56. Does it not follow therefore that if the landlord is himself a candidate and another candidate is contesting the seat, the tenants of the landlord candidate would not have liberty to use their votes freely against him?—If he is a candidate, his office would not be selected.

57. *Mr. Bose:* Regarding the question put by Mrs. Subbarayan, you said that the Education Department sent in a circular objecting to the use of school houses. Is it correct?—I merely quoted from the Report.

58. May I call your attention to the fact that in 1929 certain schools and colleges were used for election? The Brahmo Girls' Schools were used in 1930. Is there any order passed by your department in this connection?—I was not there in 1930. Was it used for male voters or female voters?

59. Only male voters?—'Oh!'.

60. Is it possible to send out voting papers to women and get them to record their votes at home?—That would not be free and secret voting.

61. Each woman can be sent to her house her ballot paper as is done at the University election and the same attested by the officer?—Where are they to be attested?

62. In the house of the voter?—In the University election it is attested at the Senate House. But if the papers are to be sent to the voters, the candidates will have to bear the cost. It is very hard on the candidate to bear all that expense for one vote. There are 41,970 ladies who are enfranchised. It is impossible for them all to go and exercise their right of vote.

63. *Mr. Basu:* Only one question regarding the shortness of the hours within which the polling takes place. Is it your experience that any considerable number of voters have got to be turned out because of the shortness of the hours?—Not so much in the rural areas, at least so far as the 24-Parganas are concerned.

64. *The Hon'ble Khawaja Nazim-ud-Din:* As far as this group voting is concerned, suppose in a village the president of the panchayat takes down the names of the adult population, forms the first 20 into one group, the second 20 into another group and so on, till all the adult population in the village are formed into various groups; then later on one circle officer with the president of the union board goes to the village and holds the election; that is, it will just be something on the lines of the present Union Board elections. Do you think there will be any serious difficulty in making groups like that?—It will be a big affair. It will be difficult for one circle officer to do so much. In a union with an area of about 5 to 17 square miles, though the average is about ten square miles, it will be difficult for the circle officer to do all that. It will be an unmanageable task.

65. Supposing these elections take about a month and a circle officer is appointed for this particular month, he will have nothing else to do for that month. So that for the whole circle, would it not be possible to complete the elections in one full month's time, because there will be no immediate hurry, as they will first be placed on the rolls of secondary electors, and the elections will take place much later. Supposing the circle officer goes about touring from place to place, will it not be possible to complete the elections in a month?—It is impossible. There are 30 or 40 Union Boards, and he cannot do all of them in a month.

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66. How long will it take?—I think on the whole it will take much longer than a month. It may on the average take one Union Board a week. Of course, that is the average. There are some big union boards which cannot be finished in one week, because some of them are divided into wards.

67. Suppose some officer other than the circle officer is put on duty and the president of the union board also assists him. Is there any objection to that? Will it not be finished sooner?—Even then it may take about four months, I think. If a sufficient number of officers are available, it may be finished sooner. In the elections, are they to have a ballot?

68. No. The election is to be conducted by a show of hands. Candidates' names will be proposed and seconded, and then the election will be held by a show of hands, and then the man so elected will be placed on the electoral roll.—What you suggest seems to be an election by acclamation. It is more on that basis.

69. It may be by ballot, I have no objection. What do you say?—If ballot is to be introduced, there may be other objections.

70. Or it may be done by a show of hands. Only 20 people will be there and opinions for and against can be taken, or you can have something like a Council division.—Supposing you take one union board and divide the population there into groups of 20, then in each group we have to find out the time which will be taken up separately. Show of hands cannot be relied on.

71. You can proclaim it by beat of drum in the village that election will take place, is it not possible?—Supposing it goes on from 7 in the morning to 5 in the afternoon, then you will have to provide a number of officers for different periods. Even then it will be a cumbrous affair.

72. The area is small and all the local people can form the meeting. Is it not possible to give effect to this method?—(*Mr. Mukarjee*): From my own experience as Circle Officer I am inclined to think that it will be a cumbrous affair.

73. *Khan Bahadur Abdul Mumin:* What is the average number of villages in each union?—The number may be from 15 to 20. In some cases the number is ten.

74. Do you say that there are some unions with even one village?—If there be such, these are amalgamated maujas.

75. So we may take it that the average number of villages is ten?—Yes.

76. Supposing the average adult population in a village is about 300 it can be divided into groups?—In a settlement village, it will be much more than that. A settlement village is a more distinct unit than a mauja generally.

77. May we take it that a settlement mauja would have about 4 or 5 hundred adults?—Yes.

78. If the adult population in a village is taken as 400 on the average, and if we introduce group voting by show of hands, and 20 people are elected by such groups, could not this be done by a single officer visiting that village with the assistance of the panchayat? Can he not see that 20 people are elected in an hour or two?—It will be difficult to get the help of panchayats always. They will then have to be made statutorily responsible for it. Otherwise we cannot get their help always.

79. Supposing you get such help by persuasion, or get the help of the presidents of panchayats, then is it not possible for the circle officer to elect by a show of hands 20 secondary voters?—It may be possible, but it may take about four months.

80. Where is the difficulty in this, I want to know. Even supposing there are no registers, still they know the people whom they are going to elect.—I suppose a candidate will try to get the votes from all the people.

16th Feb. 1932.] Messrs. H. R. WILKINSON, A. S. LARKIN, Babus HRIDAY RANJAN SEN, KARALI CHARAN GANGULEE & SUDHANSU MOHAN MUKARJEE. [*Concluded.*

At the initial stage he must have some agents. The agents of two or three candidates will be canvassing. So there will be practical difficulties.

The Chairman: I just want to make a suggestion to the committee. As you are aware, we are going to visit villages on Saturday. If it is possible for some of the members of the Provincial Committee and one or two of the witnesses also to go there, we can go into this question and we will have various opportunities of testing the question now raised. The best method is to have it worked out on the spot, with a presiding officer, the polling officer, and others. I think we can get better results by examining it on the spot than by discussing it here.

The Hon'ble Khawaja Nazim-ud-Din: I agree that is a very good suggestion.

81. *The Chairman:* I hope we will have it arranged. Now, Mr. Wilkinson, will you please get the information* on the points referred to in the course of to-day's evidence and possibly we can study that after visiting the villages from the point of view of the group system of representation. Do you think it is possible before we finish the work here to produce one of the lady presiding officers to see what her experience of polling booths was? If necessary, our lady members can see her personally. I think it would be better to get direct evidence on the point.—Yes, Sir.

APPENDIX.

Notes by Mr. H. R. WILKINSON, C.I.E., I.C.S., Education Secretary to the Government of Bengal, and

Mr. A. S. LARKIN, I.C.S., Collector of Hooghly.

We have been asked to give our opinion on the following points:—

(*a*) The comparative merits of the Bihar system of separate coloured boxes for each candidate (or a similar system) and the present system in Bengal.

(*b*) The maximum number of votes which could be polled with the existing material available (presiding and polling officers, buildings, etc.).

(*c*) Whether the English system of polling officers would help.

(*d*) How many days could be spared for polling.

(*e*) The number of women presiding officers who could be made available.

NOTE BY MR. H. R. WILKINSON, C.I.E., I.C.S.

(a) *The comparative merits of the Bihar system and the Bengal system.*

Mr. Larkin's note, which is separately attached, gives the arguments in favour of the separate ballot boxes or of the turnstiles which he proposed.

The Bihar system will undoubtedly enable one Presiding officer to deal with more votes in the day and as it has worked successfully there, there is no reason why it should not succeed in Bengal. In Bihar, however, one polling station has served a very much larger area than in Bengal; in Bengal the polling stations are much nearer each other and in a large number of cases the extension of the franchise would not mean an increase of the electorate in any given area to a figure above the 1,000, which will be the capacity of one officer per diem. There is the further consideration that the present system is familiar to presiding officers and electors alike.

* *Vide* Appendix, pages 528—532.

Note by Mr. H. R. WILKINSON. [*Continued.*

The objection to the turnstile as opposed to the separate ballot boxes is that there is no means of knowing how a particular voter voted in the event of a petition for false personation, etc.

One advantage of the present Bengal system is that it is less expensive, and it does not involve any extensive lighting arrangements.

On the whole it seems that there would be no particular objection to introducing the Bihar system, if this were found desirable.

(b) *The maximum number of votes which could be polled with the existing material.*

(c) *How would the English system of polling officers help?*

I understand the English system to be that the work is done by polling officers (clerks) working in pairs. Under the present regulations the presiding officer can delegate any of his duties to the polling officer, but it seems to me essential that he should retain in his own hands his duties *vis-a-vis* the illiterate voter, challenged and tendered votes. The polling officers could do all the preliminary work of verifying the electors, issuing the ballot papers, and if polling days were declared public or executive holidays, two or four such officers could be allotted to each station according to its requirements. This would expedite matters. At the same time the capacity of the station would be limited to the number of illiterate voters with whom the presiding officer could deal in one day. The polling day would be one of 8 hours (say 8 to 12 and 1 to 5) and I do not think an officer could deal with more than 480 (say 500) illiterate voters in that time. At the 1929 elections the percentage of illiterate voters, who polled, was 42·2 non-Muhammadan and 52·4 Muhammadan. With the extended franchise we must expect 50 per cent. of those who poll to be illiterate. One polling station will therefore be capable of dealing with 1,000 voters per diem.

The elections for (*a*) non-Muhammadan, (*b*) Muhammadan constituencies in each district are held on different days and generally speaking the same polling stations and officers are used for both classes. It will therefore be necessary to cater for the larger of the two classes in each district.

In some districts the elections for one constituency were concluded in one day, in others it extended over two days but never longer. The same polling stations were not however used for subsequent day for the same constituency. It is assumed that the same time will be allowed and the calculations are made on this assumption.

On the last occasion there were 1,918 polling stations. These stations could cope with 1,918,100 in the time that was occupied by the last elections.

The total population outside Calcutta is—

Non-Muhammadan	20,353,171
Muhammadan	20,884,618

If 10 per cent. are to be enfranchised the figures will be 2,035,317 and 2,688,461.

In the past arrangements have been made on the assumption that 75 per cent. might go to the poll. The following figures give the percentage of electors in contested seats who actually went to the poll:—

1921	29·3	1926	39·4
1923	39	1929	26·5

It is anticipated that the first elections are likely to arouse more interest but 60 per cent. would be a generous estimate.

	60 per cent.	75 per cent.
Non-Muhammadans . .	1,221,189	1,526,487
Muhammadans . . .	1,612,976	2,016,345

Note by Mr. H. R. WILKINSON. [*Continued.*

If therefore 60 per cent. is taken as the percentage, the existing material will be sufficient to deal with the elections; if 75 per cent. is taken 99 additional presiding officers will be required.

If all Government offices are closed and Sub-Registrars are more extensively used it will be possible to find these extra officers.

On a provincial basis, therefore, the existing personnel will be able to deal with the increased electorate. But the unit is the district. In the larger districts the number of officers employed on the last occasion would not be sufficient to cope with the increased electorate in the time then allowed, *e.g.*, in Mymensingh there were 163 polling stations, the population is 3,927,552 Muhammadans and 1,202,710 non-Muhammadans. If we take our standard of 60 per cent. going to the poll, this will give 235,650 and 72,172. The capacity of the 163 polling stations is only 163,000.

Polling took place on two days for each constituency. I have worked out that 118 is the absolute maximum of officers that could be employed in this district. As each will officiate on 2 days, this will give the equivalent of 236 officers, who would just be able to cope with the increased electorate. But it would probably be necessary to extend the election over three days for the Muhammadan constituencies or to indent on other districts for officers for the purpose. It is probable that only a very few of the larger districts are so situated. But all the districts could increase their presiding staff by at least 10 per cent. if the days were holidays.

(d) *How many days could be spared for polling?*

This would depend on Government, but the actual days of polling—2 in some districts, 4 or even five in others—would require to be holidays. On the days immediately preceding and succeeding the polling days only those officers employed at stations near their headquarters would be able to do their normal duties.

(e) *The number of women Presiding Officers.*

The following districts would be able to supply officials :—

Chittagong	2	Murshidabad	1
Dacca	4	Mymensingh	2
Hooghly	1	Rajshahi	1
Jalpaiguri	1	Tippera	2
Midnapore	1		

The 24-Parganas would probably be able to provide considerably more and in most districts possibly wives of officials might be enlisted, but their number would be small.

In any case there would be sufficient to man only one or two polling stations in the headquarters of the district, where presumably they would be most needed.

I should like to add a word about the size of the areas served by each polling station. According to the standard prescribed, no polling station should serve an area of more than 150 square miles. In actual practice it will be found that the average area served is far smaller, *e.g.*:—

Chittagong.—Area 2,570 square miles, 82 polling stations, average area 31 square miles. If 60 per cent. of the population vote each polling station will have to cater for 970 voters.

Faridpur.—Area 2,356 square miles, 76 polling stations, average area 31 square miles. If 60 per cent. vote, the average polling station will cater for 1,190 voters.

Mymensingh.—Area 6,237 square miles, 163 polling stations, average area 38 square miles. If 60 per cent. vote the average polling station will cater for 1,445 voters. As we have seen the number of presiding officers is capable

Note by Mr. H. R. Wilkinson. [*Concluded.*

of increase but in some cases probably other officers will have to be enlisted from other districts or the number of polling days extended.

Note by Mr. A. S. Larkin, I.C.S.

Under the present arrangements with a small electorate, it is considered feasible to deal with only 350 voters in rural and 480 in urban areas. By increasing the election hours, we consider that 1,000 votes a day could be recorded in rural areas, if an eight-hour day is given provided that the number of illiterate voters is not excessive. Much of the existing slowness is due to the elaborate procedure, which has to be observed by the Presiding Officer in the case of each voter, a procedure which in the case of an illiterate voter, becomes more elaborate. In the latter case, in addition to asking each voter (*vide* Bengal Electoral Regulations XXXV) three questions, he has to mark the ballot paper according to the voter's wishes, so it can quite easily be imagined that it is impossible to deal with such voters with any great rapidity, as long as the procedure remains the same. I suggest that the following system could be adopted with advantage and it would simplify the labour of the Presiding Officer, particularly if the franchise is extended, thus increasing the number of illiterate voters:—

Voters should assemble in a compound outside the polling booth and should be kept in groups, *e.g.*, mauza groups where the election is confined to one Union Board or Union Board groups, where the polling extends over 3 or 4 or more Union Boards. If possible, a clerk or polling officer should be detailed to each group and he will deal with the voters in his own group only. Each voter will go up to his polling officer and, if not objected to by the candidates' agents—identifiers being produced, when necessary, will after a mark against his name in the electoral roll then be admitted through a gate to an inner enclosure, where the Presiding Officer will be waiting. His admittance to this enclosure will be sufficient proof for the Presiding Officer that the voter is qualified to vote.

The question of abolishing the single ballot box now in use in Bengal and substituting a box painted a different colour for each candidate was raised yesterday. I objected on the ground that the mofussilite is very vague about his colours, his colour scheme being mainly limited to black, white, and red. None of these would give any difficulty, but it is not improbable that, owing to lack of party organisation and to a likelihood of an increased number of candidates when the new constitution comes into being, more colours than these may be necessary and blue, green, etc., will be introduced, causing a lot of confusion to those who are colourblind. Nevertheless, the difficulty is not insurmountable and the experiment is well worth a trial. It is better than the present single box system and more likely to be satisfactory than the other proposal to have the candidates photograph over each box. This proposal is inconvenient because many people do not understand photographs and also because the candidate is unlikely to be known to many in the constituency.

My reasons for suggesting the use of turnstiles are as follows:—

(1) The turnstiles would automatically record each vote. The numbers on the turnstiles would be shown to the candidates' agents before and after the election and a certificate signed by them and the Presiding Officer would be taken. This would prevent any suspicion of doubtful counting at the Returning Officers' headquarters and would save all counting of votes, which now involves an extra day's labour to the detriment of other Government work.

(2) Ballot papers would be unnecessary.

(3) After the election, there would be no necessity, as there is at present, to sew up the boxes in gunny, seal, and despatch them. All that the Presiding Officer would have to do would be to send the certificate referred to above.

(4) There would be no spoilt ballot papers.

(5) It is easier for people to pass through a turnstile than to have to fill up forms and deposit them in a box.

(6) Secrecy would be greater than it is at present, as the Presiding Officer would not have to see illiterate voters passing through the turnstiles, unless they were in difficulty about their candidates particular one, which would be marked with his colour as well as his name, whereas now he must know for whom an illiterate man is voting.

(7) The turnstiles would permit of a voter going out, but not returning.

(8) No time would be spent by the voter or Presiding Officer in filling up papers.

(9) At least 2,000 voters could be dealt with in one day and more where the voters are literate, which would reduce the polling days in congested areas.

(10) A non-official could be the Presiding Officer, as the personal element would not be so much in evidence as it is now owing to Reason No. 1.

Mr. R. N. GILCHRIST, Labour Commissioner and Deputy Secretary Commerce Department, Government of Bengal.

1. *The Chairman:* Now, Mr. Gilchrist, what exactly is your position in connection with labour?—I do the work connected with labour in the Bengal Government. I am Deputy Secretary in charge of the Commerce Department and of the Marine Department. I am also Registrar of Trade Unions.

2. You have special knowledge of what may be called industrial labour in this province? By industrial labour I mean factory labour.—Yes, Sir. The Factories Act comes within my department.

3. Now could you give us a brief statement of the numbers and any special characteristics of factory labour in this province?—The actual number of workers in factories registered under the Factories Act in the last year of report was 563,877, or practically 564,000.

4. How were they mostly employed? In what main industries?—Over half were employed in the jute mills. Out of this number of 563,877 which I have mentioned, the number in the jute mills alone was 328,177.

5. What are the other main industries?—Engineering, railway workshops, jute presses as distinct from jute manufacturing concerns. There are very few cotton mills; cotton manufacturing is a very small industry as compared with Bombay.

6. Any mines?—They come under the Mines Act. About 46,000 are employed in the mines. The exact figures are given in the report of the Chief Inspector of Mines. This figure relates to Bengal alone. Most of the mines are in Bihar and Orissa.

7. Where does most of the labour come from? Is it from Bengal alone or from other places also?—If you take the jute mills as typical, only one in every five belongs to Bengal.

8. Where do the rest come from?—From North Bihar, South Bihar, the United Provinces, Orissa, Chota Nagpur, Madras and the Central Provinces.

9. Are they settled here for long periods, or only for short periods?—That is a difficult question to answer. There has been no complete enquiry made on that particular point, and there are also no statistics. But when the Whitley Commission was here, we collected some figures along with the Jute Mills Association; and during last year I worked them up for some other purposes. I have got some results which I may give here, though they have not yet been published. For the purpose of the enquiry we took a sample of about 75,000 employees. The figures show that about 60 to 65 per cent. had served for five years; the number that had served 10 years was between 15 and 16 per cent. and 8 per cent. had served about 15 years. Between 5 and 6 per cent. had served about 20 years. The percentage of those that had served above that was very small, almost microscopic. These figures, I may say, show not the length of service in the jute mill industry, but the length of service in individual mills. I have not got figures to show the length of service in the jute mill industry as a whole.

10. Can you tell me something about the trade union organisation? Can you say anything about its character and strength in the industrial population?—This is shown in the reports of the Registrar of Trade Unions from year to year. As regards the jute mills, perhaps the following figures will give a general indication. I have already given the total number of employees in the jute mill industry for the last year for which we have a report, and in my last report as Registrar of Trade Unions, I showed that in the textile group of trade unions there was one registered trade union, with a total membership of 1,483.

11. Is it a jute union?—Yes.

12. That trade union is registered?—Yes.

13. Are there any not registered?—I have got a record of a large number of labour bodies that have come into being before and since the Trade Unions Act came into force.

14. They disappear, you mean?—They disappear and re-appear, and do all sorts of things.

15. Are there unions in the railway workshops? Are they well unionised or organised?—There is one purely railway workshop union. The workers are much better organised on the railways, but the unions are not necessarily railway workers' unions; they are *railway* unions.

16. Can you give us any particulars about the railway unions?—In the last year's report five were given, with just over 42,400 members.

17. Is there any union of importance in Bengal apart from the jute and railways?—Sailors. The Indian Seamen's (Lascars) Union, the Quartermasters Union and the Bengal Mariners Union, which represents employees on inland steamers, that is to say, river vessels.

18. What is the total membership?—21,696.

19. I understand that in the jute group there is only one trade union and they have got 1,400 members out of 328,177, the total number of employees?—That is correct. The total number of jute employees this year is smaller than what I gave for 1930, because last year owing to the trade slump close on 60,000 employees were dismissed. 1931 figures have been compiled, but I have not got them yet.

20. You would have noticed that in the Whitley Commission's Report a suggestion has been made that representation of labour might possibly be done through the medium of the trade unions. As in the case of landlords, commerce and others, special representation should be given to labour—special representation as apart from the votes they poll in the general constituencies, by giving certain seats to the trade unions as such. That is the suggestion. Do you think that the trade unions to-day are sufficiently

well organised and are sufficiently representative to be constituencies for representation of what may be called subsidiary labour?—It seems to me that quite a number of considerations have to be taken into account in this connection. One of the first is this—are we to recognise as trade unions, trade unions at large or registered trade unions?

21. They definitely say registered trade unions.—My opinion is that trade unions at large cannot be used for the purpose. When we come to registered trade unions the first thing that appears to me to be of importance is the definition of a trade union. Under the Trade Unions Act (Section 2) a trade union means "any combination, whether temporary or permanent, formed primarily for the purpose of regulating the relations between workmen and employers or between workmen and workmen or between employers and employers or for imposing restrictive conditions on the conduct of any trade or business, and includes any federation of two or more trade unions". It is important to note that a trade union is not necessarily a combination of workpeople. It may be a combination of employers.

22. Supposing the Act is altered, would a trade union be a satisfactory medium for labour representation in the legislature?—The Commission recommended some sort of tribunal for getting over the first difficulty.

23. Assuming we get round the difficulty, would a trade union, using that word in the English sense of the word, be a proper medium?—My answer to this is that at the present stage, the trade unions excluding the employers' unions, are not very well organised (I might say that the Indian Jute Mills Association is a registered trade union). The total number represented by the registered trade unions, is about 73,956, say, 74,000.

24. Out of a total labour force of?—Under the Factories Act, the number is over 5½ lakhs, and under the Mines Act about one half lakh. There are other workers such as dock employees, municipal employees, and big class of general labourers or coolies, who are not included in these numbers.

25. *Major Milner:* Assuming other interests are specially represented as indicated by the Chairman, you agree that representation through the trade unions is the only practicable method of getting effective representation of labour as opposed to capital?—No, I prefer nomination.

26. Assuming nomination is ruled out, trade unions are the only organised labour, are they not?—They are the only organizations.

27. That being so, do you not agree with the conclusion reached by the Whitley Commission that that would be a satisfactory means of giving special representation to labour, assuming special representation was given to capital?—Assuming nomination is impossible, that seems to be the only way that is left.

28. *Khan Bahadur Aziz-ul-Huque:* In Bengal most of the labourers are confined to three particular places, the tea planting labourers in Jalpaiguri, the jute workers near about Calcutta and railway workers in one or two places. They are concentrated in three definite areas.—It is perfectly true that there are well-defined industrial areas round about Calcutta and Jalpaiguri, but there is also the coal mining area round about Asansol. And there is the jute pressing area round about Narayanganj and Serajganj and in Eastern Bengal generally.

29. Is it possible to divide Bengal territorially to give representation to labour? If labour representation is given to those areas and confined to a certain class of wage earners, practically it would mean labour representation?—Theoretically there seems to be no objection to that. But the difficulty is in making the electoral roll. One of the greatest difficulties is fixing the unit which is to vote. Is the unit to be a certain area of Bengal or the worker as such? If it is to be the worker, I can't see any possibility of keeping an electoral roll because of the fluidity of labour.

30. You think that the fluidity of labour is such in labour areas as to

make real effective representation impossible?—If we take the jute area, we find two distinct classes of workers on the two sides of Calcutta. On the southern side, there is a big proportion of Bengali employees. On the north side, the preponderating majority are up-countrymen. The Bengalis are more or less permanent residents and live in the surrounding villages. On the north side, the up-country people come to Bengal for two years, nine months and so on, and go back regularly to their homes.

31. Most of the operatives so far as the north side of Calcutta is concerned are non-Bengalis?—In one big industrial area, for example, 90 per cent. of the inhabitants are up-country men.

32. Supposing the Calcutta Municipality sent one member to the Council, will that or will that not give representation to labour?—It would give representation to labour in a way. But it would be for Bengali labour, not for foreign labour in Bengal.

33. *Lord Dufferin:* If adult suffrage is given in one form or another don't you think that labour will have an important part in returning representatives? Their numbers are such that it would be possible for them to control other constituencies?—I can scarcely answer that question, as I do not know what the qualifications for the general constituencies will be. But I may point out that in the southern jute mill area there is a big proportion of Bengali labour, which would take part in the ordinary voting provided the franchise is given to them.

34. They will play a large part because their numbers are large?—Yes.

35. Even under those circumstances you are content with nomination or you might prefer representation to come through the trade unions representing the great mass of the workers? You want only nomination?—Yes. There is one variation of nomination that has occurred to me, but I do not know if the Chairman will permit me to mention it at the present stage. That is the principle of Article 389 of the Treaty of Peace, the Versailles Treaty. It is the principle which is used in nominating both employer and labour representatives for the International Labour Conferences at Geneva. Article 389 requires the members of the International Labour Organization, that is to say, the Governments, to nominate non-Government delegates and advisers in agreement with the industrial organizations, if such organizations exist, which are most representative of employers or work people as the case may be, in their respective countries. The ultimate power of nomination rests with the Government, but Government under the Treaty of Peace *must* consult representative organisations of employers before nominating employers' delegates and advisers, and of workers for the workers' delegates and advisers. Possibly some scheme might be worked out whereby Government might take into consideration nominations made by registered trade unions, but the final power of making the nomination must be reserved for Government.

36. If you form the workers into groups, the sirdar would have too much influence and either he or his nominees would ordinarily be returned?—I'd expect the sirdar's nominees to be returned always.

37. Has your experience been that the sirdars or their nominees are returned in trade unions?—I could not answer that question because trade unions have been managed very largely by people who are not work people themselves. The work people, the actual manual workers, are not sufficiently educated to run a registered trade union. Management requires a certain amount of literacy in order that the rules might be observed and accounts kept properly.

38. Nevertheless the sirdar is the servant of the employers and any influence that he can exercise will be exercised in favour of the employers?—The sirdar as the servant of the employer *may* possibly do so, but it may be,

on the other hand, in the interests of the sirdar to see that the work-people are properly looked after. Sirdars get an income not only from the employers but from their own people.

39. If the sirdar had influence in the trade unions, that would be an additional reason for not giving representation through the trade unions?—I would hardly say that. If you look on the sirdar as equivalent to the foreman in England, I don't know that you could argue that, because the foreman uses a good deal of influence amongst the operatives, he should not get a vote.

40. That would apply to the group system also?—Possibly it would apply to the group system also. The real problem seems to be that as most workmen are little educated, it is difficult to apply any system of representation.

41. The sirdars generally exercise their influence in the wrong way?—It depends. That influence *will* be exercised is all I can say. The sirdar will certainly have a powerful influence in a group system.

42. And in trade unions?—In some trade unions.

43. *Dr. Ambedkar:* I thought you said that the best method of giving representation to labour in the legislature was for the Government to nominate out of a panel selected by labour organisations?—I said nomination. Nomination is the method I am in favour of. Let Government consider all the circumstances of the case and nominate the persons best fitted to represent the interests of labour. If nomination was absolutely impossible, a variation of Article 389 of the Treaty of Peace might be tried.

44. Why do you favour this particular system to election?—Because, in the present stage of trade union development, I can't say that there is a sufficient number of trade unions well enough organised to be fully representative of labour. There is another point too. Some adequate labour representation is required in the centre also. Now take our biggest group—the railway group. It has 42,500 members. There would be much more point in sending the railway representatives to the Central Legislature, because the local Government has nothing to do with the railways. Similarly is the case of lascars and quartermasters. The local Government has nothing to do with merchant shipping—it used to have, but not now.

45. That would not necessarily be inconsistent with the system of election?—No. But under nomination the local Government could exercise their judgment in selecting representatives from a group put forward by registered trade unions.

46. If it is possible for the labour organizations to organize themselves in order to select men, what is the difficulty for the same organizations electing men?—I just now said that out of a total strength of about 350,000 in the jute industry only 1,500 are members of the one registered textile trade union. The trade unions are not yet fully representative, and Government could select from all labour interests.

47. You mean to say that many are outside the trade union?—There are only 1,500 in it.

48. Would their point of view be necessarily different? Do you think that those who are outside the organization would necessarily take a different view?—Probably not. In the particular case I have given it might happen, because a large majority of them are up-country people. They do not represent Bengalis at all, and they might not take the same view. In practice, what we do in the local Government when any question affecting labour arises is that we ask all the registered trade unions for their opinion, to see if they have got anything to say. They are not representative but they are the only organisations you can get to.

49. *Mr. Butler:* Do you consider that if the trade unions begin to play some part in these elections, that would distract them from their industrial work?—Yes.

50. *Sir Muhammad Yakub:* Do you think that labour in Bengal is sufficiently strong so as to be entitled to have separate representation in the Council?—This is a matter on which I cannot express an opinion because it is a problem on which Government has to decide. I am only giving my personal opinion.

51. Are the railway trade unions really organised by those who are actually working, by the working class?—If I had had the time, I would have brought the register of trade unions and you would have been able to judge for yourself. A very large number of those who are managing trade unions are not actually working people. But it depends on the trade union. There is, for instance, the union of quartermasters of Calcutta. They run their own union, in the main, but not entirely by themselves. There are other unions—the jute mill union, for example,—which are not entirely run by persons employed in the industry.

52. If labour is allowed to have separate representation in the Bengal Council, and if it is decided that there should not be representation through trade unions, what other electorate would you suggest for labour?—I cannot conceive of any, except nomination, which, I take it, is ruled out. I cannot conceive of a group system working.

53. You would not give them direct franchise on their own qualifications? —If they came into the general constituencies, but you are asking something to be decided by the Government of Bengal. I would point out the difficulty in the case of an up-country labourer who does not belong to Bengal.

54. *Sir Ernest Bennett:* A very large proportion of the jute mill workers are non-Bengalis. What is their status? Do they come for a certain period to earn their living and go back?—They come here from up-country villages to make a little money, part of which they send home to their village. They may come for one year or two, or more. We have no definite figures for all workers.

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55. Have your trade unions, such as they are, any political side, in actual practice?—No. There is a definite section in the Trade Unions Act which allows them to have political funds, but there is no such fund.

56. They are not a very politically conscious body?—No.

57. *The Hon'ble Mary Pickford:* Is there any substantial number of women engaged in Bengal in the jute mills or elsewhere?—Yes. In the jute mill industry the number of adult women is about 52,000. There is a small number of girls under 15 also employed.

58. Are they engaged in other industries to any substantial extent?— In cotton to a certain extent. The total number of adult women employed in cotton mills was close to 2,000 in 1930.

59. Are any of the 52,000 women just mentioned by you as being engaged in jute mills, members of the Union?—I could not speak off hand, but I think not. The number of women in trade unions is exceedingly small. The actual number shown in the latest return, among a total of 73,395 people in the register of trade unions, in 1931, was only 561.

60. If the trade unions were taken as an electorate, it would be unrepresentative of women workers?—Yes.

61. *Sir Sunder Singh Majithia:* You say that 90 per cent. come from outside the province?—Only in one big mill municipality called Tittaghur. Taking the jute mills, as a whole, I would say that four-fifths of them come from outside Bengal.

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62. *Sir John Kerr:* You could not conceive any system of election for the labouring class in the Council? I would like you to consider the application of the group system. Supposing it was decided to give the franchise to labourers in the jute mills. The labourers amount to over 300,000. Suppose you divided them into groups of 20 and told each group to elect one of their number to be their mukhia. That would give you a total of 15,000 mukhias. If you kept the sirdars out of the groups you would have no sirdars elected as mukhias. Do you see any objection to a system of that kind?—The chief difficulty I see is the forming of groups. You would be forming groups of foreigners to Bengal, of persons whose stay here is indeterminate, who are always going and coming. Your group would be the basis of the electoral roll, and would be an extremely fluctuating one.

63. It would not be the basis of the electoral roll. You could say that nobody was to be admitted into a group unless he was working in the mill for six months or a year. But the point is that all the people who were working on a particular day would be divided by some Government officer into groups, and on the spot would elect their mukhia to vote on their behalf. Would that not be sufficiently representative labour for all practical purposes?—At least, you would get all the labour in that area on that one day.

64. Those 15,000 would really represent labour in the jute mills?—Yes, they would be almost completely representative, in theory.

65. Do you see any reason why you should not have a similar system for labour on the railways, in the coal mines, etc.?—It seems to me very difficult practically. One cannot picture a Government officer going round to a mill, employing say 5,000 people; and arranging groups of twenty, in one day. It would upset the working of the mill and a lot of explanation would be necessary, if labour trouble were to be avoided.

66. *Sir Zulfiqar Ali Khan:* You said that the strength of the trade unions was 1,400?—Only of one trade union, in the jute mill industry, but for all labour included in Bengal the number is 74,000.

67. This is scattered all over the province?—Mainly concentrated in Calcutta. One or two are organised outside Calcutta.

68. Is there any literacy among these people?—Yes, but I cannot determine the extent until we get the new census report. But it is not very great.

69. Is there any political consciousness among these people?—I should not say that there is a very strong political consciousness among these people; they are not easily affected by political movements.

70. *Sir John Kerr:* You say a very large proportion of these labourers come from outside the province and are not interested in Bengal affairs. But *qua* labour, they are interested in the Bengal regulations for labour, and, that being so, it is desirable that they should be represented in the Council of the Government of Bengal from wheresoever they may come?—That depends on the attitude adopted towards the franchise as a whole.

71. *Mr. Chatterjee:* Would not these mukhias also constitute a floating population?—I should think they would.

72. As far as your experience goes, have you found these non-Bengal labourers taking any interest in the political problems of Bengal in any way?—Not in my experience.

73. *Mr. Roy:* You say that one-fifth of all these people are Bengalis, and all the rest foreigners. If all these labourers were given representation in the Council, do you think that the occasion may arise where the interests of the foreign labourers may be different from those of the local labourers?—It might be.

74. *Maulvi Tamizuddin Khan:* How are these labourers housed? Do they all live in barracks provided by their employers, or do they live in houses

rented by themselves?—A considerable proportion, about 30 per cent., live in houses provided by the jute mills. The rest live in the surrounding towns in houses privately owned. Many of these houses are owned by the sirdars, and the men of a sirdar's group live in his houses and pay rent to him.

75. If qualification for a vote is payment of some sort of tax, could you tell us what percentage of labourers could be enfranchised, if some property qualification was set up?—I could not tell you without a special enquiry.

76. *Major Milner:* The point has been made that the trade unions are not representative. They may not be representative in point of numbers, but are they not truly representative in point of interest of those engaged in the particular industry connected with the trade union?—I should say that there is a great deal to be said for that point of view. Even if a trade union is small, it does its best to represent the views of the industry in which its members work.

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77. *The Chairman:* I would like to ask one general question. Do you think the trade union movement is growing in strength in this country, and that the special conditions which seem to exist now will rapidly, or reasonably so, disappear. Are the embryo organisations growing in strength?—Yes, judging by our numbers. This year is an unfortunate year because of the general slump, but the movement is growing.

Memorandum submitted by the BANGIYA JANA SANGHA, Calcutta.

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2. Resolved that the Bangiya Jana Sangha which represents the views of all Backward and Depressed Class Hindus of Bengal is of opinion that these classes should be represented by reserved seats in the Provincial and Central Legislatures and all self-governing institutions in proportion to their number through Joint Electorate.

3. Resolved that in the matter of consideration of the question of Franchise for the Backward Classes, the communities which are considered as untouchables (*i.e.*, whose water is not taken by so-called higher classes) should be considered as the Backward and Depressed Classes who will be entitled to special representation by reserved seats through Joint Electorate.

4. Resolved that this Sangha strongly supports and demands Adult Franchise.

I beg to add that this Sangha represents the view of almost all the important sections of the Backward Classes of Hindu Community, such as Rajbansis, Kapali, Sutradhar, Rajak, Poundra-Khatriya, Begra-Kshatriya, Mali, Patni, Rishis, Kalus, Sahas, Kaibartas and Namasudras, etc.

Mr. BHAGIRATH CHANDRA DASS, M.A., B.L.
Rai Saheb PANCHANAN BURMA, M.B.E., M.L.C.
} **Representing the Bangiya Jan Sangha.**

1. *The Chairman:* Will you tell us what castes you would include under the head of depressed classes?—If the words " depressed classes " are taken in their truest sense, I would say that in Bengal there is really no depressed

16th Feb. 1932.] Mr. BHAGIRATH CHANDRA DASS & Rai Saheb PANCHANAN BURMA. [*Continued.*

class. By depressed class one means those whose touch is pollution. In Bengal we know the *Mehtar* is really of the depressed class. But still the depressed class has got a peculiar meaning in Bengal, and we generally include those classes who are untouchable in so much as water is not taken from them by high-caste Hindus.

2. Would disability to draw water from the same well and denial of access to temples also be included?—There is no disability in Bengal to draw water from wells.

3. Denial of access to temples?—To some classes and some temples, not to all, as is the case in the western provinces. In Bengal there is not this disability, but there is some restriction.

4. Which castes would you say would be untouchable in the sense of denial of access to temples?—All classes whose water is not taken by the higher classes.

5. *Dr. Ambedkar:* Yours is an organisation which represents what are called the Backward Classes *plus* the depressed classes?—There are some classes who are more backward than others. They want to be classed as depressed.

6. Your organisation represents these two classes, the backward and the depressed?—Yes.

7. Are there organisations in this province exclusively for the depressed classes as distinct from the backward classes?—If I say "Yes", that would be no answer. There is an association called the Depressed Classes' Association, but I know that one or two classes have given another name to their organisation, calling it the Depressed Classes' Association.

8. What are called the depressed classes as distinct from the backward classes? Do they have a separate organisation of their own?—I have already answered that.

9. What have you answered? I want to know if it is a fact or not a fact.—We hear of the name, but I give it its true character. Practically there is only one community, having one association and having a general name called the depressed classes, but they are not really depressed classes.

10. Does the Bengal Government for the purposes of administration make a distinction between depressed classes, as such, and backward classes, as such?—Not between depressed and backward. They class them all together.

11. Does not the census of the Bengal Government make a distinction between depressed classes, as such, and backward classes?—No.

12. Is there not a special heading and a special chapter in the census of 1921, describing the depressed classes as such, and as distinguished from the backward classes?—It is very difficult to define the term "depressed", and to give the real enumeration of those classes called depressed.

13. I am not trying to score a point over you. Impossible as the task was, the Bengal Government has attempted to define or describe the classes which are called depressed classes as distinguished from the backward classes.—But you will also find that in the Gazette of 1930 they have grouped together all the classes whom you may describe as depressed and backward in the same category. Now they don't make any distinction.

14. Have you gone through this volume submitted to the Government by the Simon Commission?—I have read it, but not gone through it.

15. The main mass of the untouchables are those mentioned by the Bengal Government at page 10 of the Report on the working of the Reformed Constitution, in Bengal 1921-27?—Yes.

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16. But then, the figure given there is the same as that shown in the Census of 1921?—Yes.

17. That does not include the backward classes? This total of 11½ millions given here does not include the backward classes?—These communities may be described both as depressed and backward.

* * * * * * * *

18. This association of yours was started in 1921?—In 1922.

19. Am I right in saying that the depressed classes refused to have anything to do with your association?—One community kept aloof at first, but the major portion of it is now there.

20. Am I right in suggesting that you want to mix up with the backward classes, as otherwise, you would have no legs to stand upon?—No, no. Most of the depressed classes are still with us.

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21. *The Chairman:* What do you estimate is the total number of the depressed classes and the backward classes taken together?—On a rough estimate it may be taken as 11½ millions.

* * * * * * * *

22. If a separate electorate is granted to the depressed classes and the backward classes, whom will you enfranchise for that electorate?—We may lower the qualifications and give the vote to persons paying union rates and cess and also to persons who have some occupation.

23. *Lord Dufferin:* What is the difference between the backward classes you represent and the depressed classes of the other communities?—(*Rai Saheb Panchanan Burma*): Among the Muhammadans, there is no social distinction. The backward classes among the Hindus have not got political consciousness, but among the Muhammadans, on account of their organised propaganda, there is political consciousness. For the purpose of public service appointments, the depressed and backward classes are put together. In the rules for the recruitment of candidates for the public service published in the Gazette in May, 1929, they have given the definition of depressed classes. Their number is 56. These are the classes who are classed as one in the Census Report of 1921. Mr. Thompson, the Census Superintendent, has also given a list of depressed classes. In Bengal, in fact, the depressed classes are the same as backward classes. You cannot draw a line between the two. When the Saddler Commission came to India in 1925 there was an enumeration of the so-called depressed classes made. That was taken as the basis for our classification by the Education department. They made a list of them and that list is still going on. In this list my caste is mentioned as Rajbansi. If you look at the map of Northern Bengal you will find that there my community preponderates over all others.

24. *Khan Bahadur Aziz-ul-Huque:* I want the witness to be clear on that point. I am under the impression that in some parts of Bengal the depressed classes form the preponderating element of the Hindu community. Is that so or not?—That depends upon the definition of the term.

25. My question is that, in the constituencies as they are at present,

and with the franchise qualifications lowered, what chance have you of sending your representatives out of 100 in the whole of Bengal?—Out of 100 members, if the franchise is lowered, there is a chance of my community returning a greater number of representatives than now.

26. Roughly, what will their number be?—(*Mr. Bhagirath Chandra Dass*): Now we are returning 10 or 12 members. Hereafter we may return 20 or 25.

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27. Now, so far as you are concerned, have you informed the Government as to what communities are to be considered as depressed classes? Or are you satisfied with the classification made in the census report?—The Government never asked for our opinion and we are not consulted in these matters.

28. Will you kindly therefore send us a list of classes whom you consider as depressed classes?—Yes, if you want.

29. You have asked for reserved seats in the provincial legislature through joint electorates?—Yes.

30. What percentage do you claim?—We have claimed seats in proportion to our population.

31. Are you in favour of the direct system or the indirect system?—We are opposed to the group system.

* * * * * * * *

32. *Mr. Basu:* Now, Mr. Das, can you tell us whether in the present Bengal Legislative Council there are 46 Hindu members from the general constituencies? Am I not right in saying that about eight out of these elected members belong to the depressed classes, one from Rapur, one from Jessore and so on?—Yes, but I would rather call them backward classes.

33. Do you agree with the statement in the report of the Auxiliary Committee of the Indian Statutory Commission, which is to this effect: "The recent progress made by the backward communities has been remarkable..... and the most gratifying feature is the improvement of their economic position .....the growth of education among them would show that they.....speedily emerge from the position of backward classes". That review was for the period from 1922 to 1927. Do you agree that since 1927, for the last five years, the backward classes, specially the Namasudras, have made more remarkable progress?—I agree that some backward classes have made some progress.

34. You have already told us that so far as the great public temples of Bengal are concerned—I am talking of big temples like the Kalighat temple, the Dakshineswar temple and such temples—, there is no difficulty about admission of the backward classes, is it not so?—Yes, but there are many other semi-public temples into which these classes do not get admission.

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35. *Mr. Chatterjee:* Are you aware of the well established ethnological fact, that no Bengalee, from the Brahman downwards, has pure blood in him?—I do not dare to answer that question.

36. I ask you to dare it. That is the conclusion arrived at by Sir Herbert Risley and followed by other scholars, that in Bengal you do not find any pure blooded man at all. It is true that many of the depressed classes do not inter-dine with me. I am a depressed class man. Is not that so?—That is a very difficult question to answer. That requires much study and investigation.

37. Are you aware of the fact that the Government have grouped together a large number of sub-castes and called them depressed classes? Is it not a fact that as between these classes, these sub-castes, there is no inter-dining and no inter-marriage, nor any kind of social communion at all?—Yes, it is a fact.

38. Do you therefore realise the difficulty of members of these sub-castes representing or claiming to represent the other sub-castes?—I shall answer the question in this way. Though they may stand separate, common interest will induce them all to have a common platform.

39. Do you say that my friend Mr. Mallick can be your representative, or the Raja of Nashipur, or the Zamindar of Jalpaiguri, or other zamindars of East Bengal? Will the depressed classes stand the idea of these substantial people or my friend Mr. Mallick, a member of the Namasudra community, claiming to represent them?—I already answered your question in a way. Sentiment stands against their representing us. I have considered their views. They may think that if a member of a backward community is returned, probably he will try to protect the interests of all the backward classes. But to answer frankly, sentiment is against it.

40. Is it not a fact that Brahmans and other high caste people accept service under men of the so-called depressed classes?—Yes.

* * * * * * *

41. *Khan Bahadur Abdul Mumin:* If separate electorates were established, do you think that a Rajbansi of Jalpaiguri would like to be represented by a Santal or a Namasudra from Noakhali for instance?—You have given only examples, but you have not mentioned any particular community or instance. As I told you, there will be difficulty in the matter contemplated by you. And the reason is this. Sentiment stands against it. I have consulted many of our men. They say that though in some cases sentiment stands against us, common interest may induce all of them to come to the same platform.

42. I want to know whether you can compel a Rajbansi of Jalpaiguri to be represented by one of these 18 classes you have mentioned and not give him the option of being represented by any one from Jalpaiguri. Don't you think that the latter would represent his case better?—We cannot say anything hard and fast. Some sort of compulsion necessarily comes in in some cases, I think.

43. Would you like that compulsion?—If you ask my personal view about it, I would like it. But there may be some communities who may not like that idea.

Joint Memorandum submitted by the BENGAL CHAMBER OF COMMERCE and the EUROPEAN ASSOCIATION, Calcutta.

I.—PROVINCIAL LEGISLATURES.

3. The questionnaire points out that it is the intention that the Governors' Provinces are to become responsibly governed units, and postulates that the electorates must be so widened that the legislatures to which responsibility is to be entrusted will be representative of the general mass of the population and that no important section of the community will lack the means of expressing its needs and its opinion. The Franchise Sub-Committee of the Round Table Conference were of opinion that adult suffrage was the goal to be ultimately attained, but the majority did not think that it was practicable to reach this goal immediately, and recommended "the immediate increase of the electorate so as to enfranchise not less than 10 per cent. of the population, and indeed a larger number—but not more than 25 per cent. of the total population—if that should, on full investigation, be found practicable and desirable".

QUESTIONS 1 (*a*), (*b*) & (*c*) EXTENSION OF THE FRANCHISE.

4. In these circumstances, the Franchise Sub-Committee invite opinions (*a*) as to the means by which the existing franchise for the provincial legislature can be extended so as to include 10 per cent. of the population in the Electoral Roll: (*b*) as to whether it is thought that such an electorate will be capable of casting an intelligent vote: and (*c*) as to whether it is considered that the electorate on this basis would be administratively manageable. The Joint Committee propose to deal with these questions together. In doing so, it is necessary to consider the existing qualifications of an elector. These qualifications, which apply in the case of all constituencies, urban or rural, throughout the province, except in the case of Calcutta, are as follows:—

> In addition to having a place of residence in the constituency, a person, to be qualified as an elector, must either—
>
> (1) pay municipal taxes or fees, the minimum generally applicable being Rs. 1-8 per annum: or road and public works cess of not less than Re. 1: or chowkidari tax or union rate of not less than Rs. 2: or income tax:
>
> or
>
> (2) be a retired soldier.

5. So far as rural areas are concerned, the principal point that strikes the Joint Committee with regard to the existing qualifications, as detailed above, is that many persons are not provided for who have more right to be enfranchised than some of those to whom the system gives votes. The road cess qualification, for example, is definitely wrong in principle. To begin with, the payment of road cess in rural areas is not analogous to the payment of municipal taxes in towns, or to the payment of income tax on non-agricultural incomes, although the schedule of qualifications suggests that all are on the same basis. The actual cultivator pays to his immediate superior, along with the rent for the land he cultivates, road cess based on that rent, and the amount that he pays to his superior on this account is half an anna in the rupee; the superior pays, in turn, to the superior immediately over him, road cess of one anna on the same valuation (*i.e.*, the rent paid by the cultivator) less half an anna on the rent that he himself pays; and so on until the landlord pays to the Government one anna on the same valuation less half an anna on the rent which is, in this case, of course the land revenue.

6. To take an example, a cultivator A pays Rs. 30 in rent for ten acres of land, an area that represents a large holding and makes him one of the

Joint Memorandum by the BENGAL CHAMBER OF COMMERCE and the EUROPEAN ASSOCIATION, CALCUTTA. [*Continued.*

substantial ryots of the village, but his road cess is only fifteen annas. He pays the rent to a middleman, B, who himself in turn pays Rs. 24 on account of the holding to his next superior, C, in the scale of subinfeudation. The amount of road cess paid by B is one anna on Rs. 30, minus half an anna on Rs. 24, that is Rs. 1-2. B is qualified as a voter because he pays more than Re. 1 road cess, whereas A is not qualified. On the other hand B makes only Rs. 6 a year profit out of the land, while A, if he grew jute, and his family and he provided the labour, might make as much as Rs. 1,000 from it. To look at the position in another way:—

	Rs. A. P.	Rs. A. P.
A pays to B—		
Rent	30 0 0	
Road Cess	0 15 0	
		30 15 0
B pays to C—		
Rent	24 0 0	
Road Cess	1 2 0	
		25 2 0
B therefore retains		5 13 0

In reality therefore, he pays only three annas in cess, the difference between the rent that he receives from A and the rent that he pays to B being Rs. 6.

7. This example serves to illustrate the point that the Joint Committee desire to make, namely that, if road cess is to be a normal basis of qualification, it is not the nominal amount of cess paid by a person to his superior that should be reckoned as qualifying him, but the amount that he actually pays out of his own pocket. It may very well be the case that, in an instance such as has been cited, A, being a substantial cultivator, will be qualified by reason of his paying chowkidari tax, but the important point is that the road cess qualification is not only wrong in principle, but probably quite unnecessary. It brings in, as voters, a class of very small middlemen who should not be qualified at all, and a limited number of substantial persons who are also mahajans and should be paying chowkidari tax somewhere and in all probability income tax as well. In these circumstances the Joint Committee are inclined to think that the road cess qualification might be dispensed with altogether, particularly if, for example, the qualifying amount of the chowkidari tax were reduced from Rs. 2 to Re. 1 or even to 12 annas, because this reduction would bring in most of the people of any substance. If the road cess is to be retained the basis should be modified on the lines suggested above; but even then there will be difficulties, because the Cess Roll shows only the amount of cess which each person has to pay, and offers no easy means of discovering how much cess he receives.

8. So far the remarks of the Joint Committee have been destructive rather than constructive, but (as they have endeavoured to show) they consider the road cess to be an unsatisfactory basis, and they have thought it advisable that they should give their reasons for this point of view. It is more difficult to suggest possible substitutes other than, say, the reduction of the amount of chowkidari tax which should qualify. It is to be remembered that assessments of rent cess and taxes in this country are made rather upon the family holding or holdings than upon the individual. When the franchise is strictly limited, it is sufficient to base the qualification upon some such assessment, and it will let in the head of each of the substantial families, but when the franchise is to be widened, a satisfactory result will not be obtained by lowering the qualification based on a similar assessment, for that will bring in the heads of a number of less substantial families but still include only one of the co-sharers in the larger holdings. The Joint Committee feel that

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the more substantial cultivators in Bengal have a real stake in the country and are usually shrewd enough on matters in which they are directly affected. In the jute growing districts of Bengal, for example, they have ordinarily a closer acquaintance with the movements of the jute market, and the reasons for them, than they are sometimes given credit for.

9. The Record of Rights has now been almost completed for Bengal, and the Joint Committee feel that it is worthy of careful examination whether a franchise system based upon the Record of Rights would not be feasible, a system which would include say, the cultivator who had four acres in his own possession, or a share equivalent to four acres in a larger holding, and the middleman who had a nett income (rent received less rent paid) of Rs. 50 a year. The Record of Rights is in some districts a number of years old, and many changes will have taken place through death and inheritance but, apart from this, all the information required is in the Record. Some expense would be involved, but it should not be a matter of great difficulty to prepare a draft roll from the Record village by village. That the same person often has a number of separate holdings would bring in some complications, but the draft roll would not be expected to be perfect, and it would be necessary that it should be attested in the locality in the same manner as, but with much less elaboration than, the Settlement Record is attested. Provided no attempt were made to finish this in a short period it would not appear that such attestation would be an impossible task. The Circle Officer would be responsible; it would be a task which would bring him into immediate contact with the population of his charge; the Union Board members would be available to assist, and during the monsoon period the services of employees of the Settlement Department might be lent. The Roll, if it included 10 per cent. of the whole male population, would after all be only one-twentieth as bulky as the census schedules, and these are filled up entirely by voluntary agency. The system could be extended only later to districts where the Record of Rights is not yet complete or where the Village Self-Government Act has not yet been extended. It must also be recognised that a very considerable expense would be involved but, on the other hand, there would be much educative value to the public in seeing the Roll prepared in such a manner; and once prepared, its revision would present much less difficulty than its original preparation.

10. The foregoing suggestion relates to rural areas. In the case of urban areas there is not the same urgent need for altering the existing basis, which on the whole, and with the exception noted below, probably works satisfactorily enough. Difficulties may arise in practice in balancing the votes of the rural areas and the urban areas, but this can be overcome, in some cases at any rate, by having separate urban and rural constituencies. It is recognised that this separation cannot always be effected, because in many districts in a province such as Bengal, where the urban population is relatively small as compared with that of the rural areas, it would be necessary to group together, to form one constituency, a number of towns scattered over a wide area in different districts, an expedient that would not in practice work well. Another reason why the need for increasing the number of voters is not so urgent in the towns as in the rural areas is that in any case, because of the greater facilities available to the town voter, a much larger proportion of the voters on the urban rolls will always vote than in the case of the rural voters. The exception to which the Joint Committee have referred at the outset of this paragraph relates to the position of the skilled artisan class. No adequate provision is made for this class in the present franchise, and the Joint Committee realise the difficulties that exist in providing for it, because the skilled mistry is not ordinarily a rate-payer; even if he occupies a shop in the bazar he does so only as the employee of the owner. The Joint Committee find it a difficult matter to suggest any method of meeting satisfactorily the position of

the artisan who is not employed in an organised industry; but they draw attention to the problem.

11. To sum up, with regard to the first three questions, the Joint Committee think that the suggestions which they have made for the extension of the franchise might be examined. They believe that the electorate that would be obtained, by bringing in the actual cultivator to a much greater extent than is done at present, would be capable of exercising a vote not less intelligent than is possible with the existing electorate. And they do not think that, from the point of view of administrative management, the difficulties to be tackled should be insuperable. With regard to question (*e*), relating to the extent to which it might be practicable and desirable to enlarge the roll, the Joint Committee think that it should be sufficient, for the time being, to endeavour to bring in ten per cent. of the population. They consider that a jump to twenty-five per cent. would be neither manageable nor prudent.

QUESTION 1 (*f*), *etc.*

12. Question 1 (*f*) and the questions which follow relate to the group system. Reference is made to the assumption that adult suffrage is at present impracticable (an assumption with which, as will have been gathered, the Joint Committee agree), and it has been suggested that adults not entitled to a direct vote should be grouped together into primary groups for the election of one or more representative members from each group who would exercise the vote either in the same constituencies as directly qualified voters, or in separate constituencies. The Joint Committee are opposed to the adoption of the group system, particularly in the rural areas. It would prejudice minorities, who would in the first place probably fail to get their representatives elected as voters, and in any case the voters they might get elected by the groups would be outvoted at the second stage. Further, it seems to the Joint Committee that the adoption of the group system would not solve the practical difficulties to such an extent as would overcome the objections to it: for the number of voters to be considered would be the same whether the election was direct or through groups. In view of the Joint Committee's opinion on this subject it is unnecessary for them to reply to the remaining questions in section 1.

QUESTIONS 2 (*a*) TO (*e*) FRANCHISE QUALIFICATIONS.

13. The Joint Committee are of opinion that there is a marked disparity in the operation of the franchise qualifications in urban as compared with rural areas, resulting in over-representation of the urban areas. As has been pointed out in paragraph 10 above, there is no great need to increase the number of voters in the towns, and the existing disparity can be rectified by lowering the qualification for the rural areas, *e.g.*, by reducing the chowkidari or union rate basis. Such a re-arrangement would probably go far towards securing the objective suggested in question (*b*) of this section, namely—on the assumption that communal electorates are retained—to give each community a voting strength proportionate to its numbers.

14. With regard to the question of the actual qualifications, the Joint Committee cannot see that it is possible, in any system short of complete adult suffrage, to avoid the adoption of property tests of some description such as are already prescribed. The Committee have given their views above on the unsuitability of the road cess qualification on the basis on which it is now worked, and they have recommended a modification in this basis which should, in their opinion, be adopted if the qualification is to be continued in the future, namely, that the test should be not the actual amount of cess paid by a person but the difference between what he receives on account of road cess from the man below him and what he pays on the

Joint Memorandum by the BENGAL CHAMBER OF COMMERCE and the EUROPEAN ASSOCIATION, CALCUTTA. [*Continued.*

same account to the man above him. The Joint Committee are not in favour of introducing a qualification based on education independently of property; most persons possessing a reasonable standard of education are probably already on the roll in respect of a property qualification, and to give any material addition to the electorate a qualification test based on education would require to be so low as to be practically worthless. The Joint Committee favour the retention of the existing military service qualification, but they do not consider that it should be extended so as to include service in the Auxiliary and the Territorial Forces; for they apprehend that there might be a likelihood of persons enrolling themselves for the sole purpose of being enfranchised, with no intention of carrying out the service obligations undertaken.

QUESTION 3. WOMEN'S SUFFRAGE.

15. The Joint Committee are not in favour of specifically extending women's suffrage. The Franchise Committee will of course have the opportunity of hearing the views of other bodies perhaps better qualified than the Joint Committee are to give opinions on a subject which is made extraordinarily difficult in this country because of *pardanashin* customs and the consequent difficulty of identifying individual voters in the way that is attempted in most voting systems elsewhere. The Joint Committee do not suggest any restriction of the existing conditions relating to women's suffrage: but they consider that the franchise should not be given to women other than those who are in their own right entitled to it by reason of their possessing the necessary qualifications. The *pardanashin* position is, in their opinion, an absolute bar to any considerable extension of the suffrage.

QUESTION 4. DEPRESSED CLASSES.

16. The Joint Committee agree that better provision should be made in the new constitution, than exists at present, for the representation of the Depressed Classes. The method of representation by nomination is not satisfactory, but on the other hand it is too early as yet to expect that these classes will be able to make their way and to secure representation in the general electorates. It would therefore be a good arrangement if representation in special constituencies could be provided and the Joint Committee would favour such, because they regard this system as the one most likely to encourage the Depressed Classes to achieve successful representation on their own behalf, and independent of any other political party. A system of special electorates is, in the opinion of the Joint Committee, on general principle preferable to a system, say, of joint electorates with reserved seats, although it must be admitted that the great difficulty of framing special constituencies for the Depressed Classes at present is that so many of them are unwilling to admit that they belong to these classes and to have their names entered on the roll. When they get this special representation of their own, it is probable that they will be more ready to allow their names to appear on the Rolls of the Depressed Classes. Whatever system is decided on should not however be regarded as permanent and unchangeable, and the constitution might contain provisos making it possible to alter the system by agreement; but the Joint Committee do not think that any such change should be contemplated until considerable experience has been obtained of the working of separate electorates, even perhaps, until the establishment of direct adult suffrage. It should be noted that a franchise system dependent, as has been suggested above, on the actual holding of land, would work as well in the interests of the Depressed Classes as in those of Caste Hindus and Muhammadans, for in many districts the majority of the cultivators probably come from the Depressed Classes. The Franchise Committee suggest that the possible application of the group system of representation to these classes should be specially considered, but the Joint Committee have explained that they do not favour the adoption of this system.

Joint Memorandum by the BENGAL CHAMBER OF COMMERCE and the EUROPEAN ASSOCIATION, CALCUTTA. [*Continued.*

QUESTION 5. REPRESENTATION OF LABOUR.

17. Enquiry is made as to the special measures necessary for the representation of labour (*a*) where it is or can be organised as in industrial areas, and (*b*) where it is unorganised as in the case of agricultural and plantation labour. In the case of organised labour, the apparent method would be to arrange representation through the trade unions, but the Joint Committee are of opinion that this method is not suitable, and that in the present stage of the development of trade unions in this country it would result in practice in persons being returned who are not workers but politicians. If they saw any likelihood that such a system would be successful in returning persons who could be regarded as really representative of the workers themselves the Joint Committee would not be so opposed to it. They would be inclined to oppose the nomination system for the representation of labour if there were no great difficulty in forming either direct constituencies of workers, or electoral colleges composed of representatives elected by the individual workers to represent them in the election of a representative in the legislature. The turnover of labour in the course of the year in the industrial areas is, however, very considerable, and the qualification for inclusion in the roll would have to be based on the wage roll at the particular time of the election (subject to a prescribed minimum wage) combined, possibly with a residential stipulation. In the circumstances, the Joint Committee find it difficult to see, at present, any alternative to the nomination system. The method adopted for industrial areas could, they consider, be applied equally well in the case of plantation labour, which is on quite a different footing from that of general unorganised agricultural labour.

II.—THE FEDERAL LEGISLATURE

QUESTION 6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

18. The Federal Structure Committee put forward tentative proposals for the allocation, to the provinces of British India, of seats in the two Chambers of the Federal Legislature. It is desirable to note certain factors which guided them in framing their proposals. They recognised, they said, that the population ratio which they had been disposed to recommend in their previous Report as the guiding principle, "would not produce a satisfactory result unless it were tempered by other considerations. To take only one instance, it would immediately reduce the Bombay Presidency—a province of great historical and commercial importance, which has for many years enjoyed approximately equal representation in the Central Legislature with the other two Presidencies and the United Provinces—to less than half the representation these latter will secure". For the Upper Chamber, the Federal Structure Committee considered that the guiding principle should be a reasonable approximation to equality of representation for each of the main units; the actual proposal was for 17 seats to each of Bengal, Madras, Bombay, the United Provinces, the Punjab and Bihar and Orissa. For the Lower Chamber the Committee considered that the distribution should tally as closely as possible with the population ratio, but that some adjustment would be necessary in recognition of the commercial importance of the Bombay Presidency and of the general importance of the body politic of the Punjab. They suggested that this adjustment might be secured, in the case of Bombay, to some extent at all events by adequate weightage of the special representation that has been recommended for Indian and European commerce. In the final result the recommendation is that Madras, Bengal and the United Provinces should each have 32 representatives, and that Bombay, the Punjab and Bihar and Orissa should each have 26 representatives.

Joint Memorandum by the BENGAL CHAMBER OF COMMERCE and the EUROPEAN ASSOCIATION, CALCUTTA. [*Continued.*

19. The Joint Committee have considered this tentative allocation of seats, and they are bound to say that in their opinion the representation accorded to Bombay is excessive. They recognise that in the present legislature, both in the Council of State and in the Legislative Assembly, Bombay enjoys representation on a weighted scale, but that is no reason why an undue amount of representation should be continued in the new legislature, and the Joint Committee are of opinion that the criterion of population ratio should be more closely observed. They consider that the disproportionate representation accorded to Bombay in the past has exaggerated the influence of the western Presidency. They readily accept the fact of its commercial importance, but if this is to be recognised as entitling the province to special recognition they hold, and hold strongly, that similar special recognition cannot in reason be withheld from Bengal, with its great agricultural, industrial and commercial interests.

20. The Joint Committee are frankly concerned to see that it has been proposed, by the Federal Structure Sub-Committee, that the adjustment should be secured, in the case of Bombay, by weightage of the special representation recommended for Indian and European commerce. If this means that Bombay commercial interests are to be accorded disproportionate representation as compared with what is to be given to commercial interests, Indian and European, in Bengal, then the Joint Committee can only say that the proposals will meet with strenuous opposition in this Presidency. No useful purpose would be served by withholding reference to the fact that in many quarters the opinion is strongly held that Bombay's commercial interests have been able to exercise an altogether disproportionate influence in the Central Legislature in the past; and now that the whole question is being reopened it is time to press that Bengal should not be prejudiced in this regard in the new legislature. In the event of Sind being given separate representation, the representation which it is proposed to accord to Bombay should, in the opinion of the Joint Committee, be reduced.

21. Enquiry is made as to the opinion that is held regarding the proposal of the Federal Structure Committee that the representatives of British Indian Provinces in the Upper Chamber should be elected by the provincial legislatures by a single transferable vote. The Joint Committee are disposed to approve of this method, although they appreciate that it sometimes brings about anomalous results. That it does so is, however, not due to any inherent defect in the system itself, but rather to the lack of organisation in the groups. The position in this respect will, however, improve with experience, when the number of candidates from each group can be regulated, a difficult matter in present circumstances when the groups themselves are so fluid. In provinces where there are two Chambers the election should be made by joint session of both Chambers.

22. With regard to questions (*b*) and (*c*) of this section, the franchise qualification for the Federal Legislature will largely depend on the method of election. If it is decided to prescribe the system of territorial constituencies consisting of qualified voters voting directly there will, as is pointed out, be more than a million inhabitants on an average in each constituency. The Joint Committee are of opinion that such enormous constituencies cannot possibly be successfully worked. Apart from this consideration they think that a direct connection between the representatives in the Lower House of the Central Legislature and the members of the Provincial Council will make for smooth working between the Federation and the several units composing it, but that if there were direct elections to the Lower House the result might easily be to give a representation at the Centre which would not satisfy the provinces and might lead to friction. In these circumstances, the Joint Committee feel that a system of indirect election will have to be accepted. It must be remembered that the constitution to be drafted is a Federation and not a unitary Government, and that those who represent

Joint Memorandum by the BENGAL CHAMBER OF COMMERCE and the EUROPEAN ASSOCIATION, CALCUTTA. [*Continued.*

the provinces at the centre must work as delegates of those provinces rather than as representatives of separate constituencies. It must also be remembered that unless the system of indirect election is adopted, it will be difficult for local parties to exercise any influence over their delegates to the Federal Legislature.

QUESTION 7.

23. The Joint Committee have no special comments to make with regard to the representation of women, labour and the Depressed Classes: the remarks they have submitted under these heads in the preceding paragraphs relating to the Provincial Legislature are more or less applicable.

8. GENERAL.

24. There are no further matters in connection with the questionnaire upon which the Joint Committee particularly wish to comment, but there is one point which occurs to them that is referred to in the closing section referring to questions for local Governments. They observe that the Franchise Committee desire, while visiting provincial headquarters, to spend a day or part of a day in a conveniently situated village, to meet typical bodies of villagers, and to discuss, with these, matters arising out of the enquiry. Although the matter is hardly one within the Joint Committee's province, it occurs to them to comment that, in the case of Bengal, it is hardly possible to speak of "typical" villages, in view of the fact that conditions in the different districts vary to such an extent. This will doubtless be understood by the Franchise Committee, and it is important that it should be, for a so-called village in the vicinity of Calcutta cannot be taken as being typical of villages in distant parts of the province.

Additional Note with reference to the additional questionnaire issued by the Franchise Committee.

The Franchise Committee have now issued a list of amendments to the original questionnaire, one of these inserting the following question regarding the representation of special interests:—

> What are your views as to the retention of representation of special interests (universities, commerce, European and Indian, mining, planting, labour, landholders, etc.) in the legislatures? If you favour its retention, do you consider that the existing methods of election thereto are satisfactory? If not, what suggestions would you make?

The present Note deals with this question from the point of view of the Bengal Chamber of Commerce.

BENGAL PROVINCIAL COUNCIL.

2. Dealing first with the Bengal Provincial Council, a reference is invited to the position as explained in the Memorandum as justifying the direct representation that was subsequently accorded to the Chamber, and to certain of the Associations, in the Bengal Legislative Council. Paragraph 7 of the Memorandum will, it is hoped, be specially noted as it is of great importance. The representation accorded to the Chamber and its Associations

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in the new Council was as follows:—

Constituency.	Number of members.
Bengal Chamber of Commerce	6
Indian Jute Mills Association	2
Indian Tea Association	1
Indian Mining Association	1

The Chamber considers that in each House of the new local legislature at least a proportionate number of seats should be allotted directly to the special interests that are now thus represented in the Bengal Legislative Council; but they would be prepared to consider an adjustment in the representation as between the two Houses, provided that the combined representation is not less, in relation to the combined strength of the two Houses, than the present proportion of representation which the interests enjoy in the Bengal Legislative Council. The Chamber does not think that they need take up the time of the Franchise Committee by endeavouring to supplement the reasons which were advanced in 1918 to justify the claims to direct representation which were then put forward. The claims were accepted, and moderate representation was accorded, but not to the extent that was suggested by the Chamber as being reasonable. In his letter to the Chairman of the Franchise Committee, dated 29th December 1931, the Prime Minister stressed the necessity of ensuring that the legislatures "should be representative of the general mass of the population and that no important section of the community may lack the means of expressing its needs and its opinions". The Chamber submits that this important principle cannot be given effect to in practice unless adequate representation is given to the great interests which they represent. They are therefore concerned to press that there shall in no circumstances be any reduction in the proportion of seats given to it and to its recognised Associations. The interests cared for by these bodies are such that in the coming years, with the approach of provincial autonomy, it will be even more essential to them than it has ever been in the past that they are fully represented. Attention is particularly requested, in this connection, to paragraphs 3 and 4 of the attached Memorandum explaining the extent of the interests represented by the Chamber and its recognised Associations. The attention of the Franchise Committee is also drawn to the remarks of the Simon Commission, in paragraph 88 of Volume II of their Report, regarding the importance of maintaining the representation, in the legislatures, not only of commerce as such, but also of mining, planting, and trading associations.

THE CENTRAL LEGISLATURE.

3. A reference is invited to the opening sentence of paragraph 9 of the 1918 Memorandum:—"In the past the representation of European non-official interests in the Imperial Legislative Council has been, it must be acknowledged, hopelessly inadequate. As has been shown, the Bengal Chamber and the Bombay Chamber alone have been represented." The Chamber recommended that eight per cent. of the membership of the Assembly should be European "an arrangement which would enable the leading Chambers of Commerce to be represented"; but in fact the Assembly of 145 members included only 9 Europeans, although since then the Associated Chambers of Commerce have been given the privilege of submitting the name of a representative with a view to his being nominated by His Excellency the Governor-General as a member of the Assembly. The claim of the Chamber to representation in the Central Legislature was recognised only by according to it one seat in the Council of State: but no direct representation was accorded to the Chamber in the Assembly. The Chamber wishes to press for the

Joint Memorandum by the BENGAL CHAMBER OF COMMERCE and the EUROPEAN ASSOCIATION, CALCUTTA. [*Continued.*

continuation, in the new Upper House, of the same proportionate direct representation as it now has in the Council of State: more is not asked for, but certainly nothing less will be considered to be reasonably sufficient for the protection of the interests for which the Chamber stands. So far as regards the representation of such interests, and of corresponding interests throughout India generally, in the Lower House, the matter is one of such vital interest to the community that the Chamber would prefer to delay submitting an expression of opinion until they have consulted with other Chambers; but they hope to communicate their views in the matter at a later date. Meantime, however, they make note of the facts that the Simon Commission considered that Europeans should have ten per cent. of the seats, and that the Federal Structure Committee, in their Third Report, affirmed their previous recommendation that provision should be made for the special representation of, *inter alia*, European commerce.

METHOD OF ELECTION.

4. The Chamber desires to stress very strongly how entirely unsuitable are the present methods of election which have to be followed in connection with the election, to the Council of State and to the provincial Legislative Councils, of representatives from the different Chambers and allied constituencies. Particular care was taken to bring this matter prominently to the notice of the Simon Commission, and attention is now invited to the following paragraph in the Memorandum submitted by the Associated Chambers of Commerce:—

> Considerable dissatisfaction has been expressed during the past few years by the Chambers of Commerce with the methods of election which have been laid down under the election rules of the various provinces for Chamber of Commerce constituencies, and the Associated Chambers strongly urge that the difficulties which have been experienced and complained of should be removed. They urge that the necessity for nominating an individual to represent a member of a Chamber of Commerce, and whose name must appear on the electoral roll, should be done away with and that the member, when a firm or corporate body, should be given power to vote in its own name. Alternatively, the electoral rolls of Chamber of Commerce constituencies should be revised semi-annually, if not quarterly. Under the present rules many members are deprived of their votes and are also prevented from nominating persons connected with their business as candidates for election by the fact that the person whose name appears on the electoral roll, prepared perhaps two or three years previously, has severed his connection with the member's business or has died or is absent on leave. Members of Chambers of Commerce should be permitted to nominate any duly accredited person connected with their business as a candidate and also to nominate any similarly accredited person to exercise the vote on behalf of the member. In short, the membership roll of the Chamber should be the electoral roll.

5. There is forwarded herewith, for reference, a copy of a Memorandum on this subject which was prepared by this Chamber and attached as an appendix to the Memorandum of the Associated Chambers to the Simon Commission. It explains how unsuited the existing system is to constituencies such as the Chamber. It may be of interest to the Franchise Committee to know that the Chamber made a careful analysis of the position on one occasion three years ago, when the then current electoral rolls for the Chamber constituencies in the Council of State and in the Bengal Legislative Council respectively were examined in detail with a view to ascertaining to what extent the rolls were ineffective on account of the retirement, absence on leave, etc., of individuals whose names were entered in them. The position was that, in the case of the Council of State roll, over thirty per cent. of the members of

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the Chamber had no vote and could not nominate a candidate, the roll having been completed only a year and a half before: in the case of the Bengal Legislative Council the roll was nearly two years old, and the figure was practically the same, thirty per cent. of the members having no vote and being disqualified from nominating a candidate. The Chamber very strongly presses on the Franchise Committee the necessity of revising this extremely unsatisfactory position. Cases have occurred to their certain knowledge where persons desirous of offering themselves as candidates for election have been unable to do so because of their names not being inscribed on the roll, and this is not a position which should be continued. The Chamber invites consideration of the method explained in paragraph 7 of the attached Memorandum, namely, the method followed in the case of the election of a trustee on the Board of Trustees established under the Calcutta Improvement Act, 1911. The method described therein is entirely suitable, and it is all that is required, except that provision might reasonably be made whereby it would be possible to dispense with an election by voting card in the event of the number of candidates offering themselves not being in excess of the number of seats to be filled.

Memorandum submitted by the BENGAL CHAMBER OF COMMERCE in 1918 to the Reforms Committee on the question of franchise and electorates.

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4. *Interests represented by the Chamber.*—It is not an easy matter to define with statistical precision the extent of the commercial and industrial interests represented by the Chamber. These interests centre in Bengal, but they extend into most of the other Indian provinces also. They have given to Calcutta the largest European population of any eastern city. They have brought into existence large European settlements in the mining districts of Burdwan and Manbhum. They have created the tea gardens of Assam and Bengal; and they have made the cultivation and manufacture of jute one of the largest and most profitable of India's industries. The membership of the Chamber, and of its allied Associations, includes all the jute mills, an enormous majority of the tea gardens of the two provinces, all the ocean shipping companies, and almost all of the inland steamer companies, in addition to the railways serving the province, the Calcutta Port Trust, the Presidency Bank, the Exchange Banks, and most of the principal local banks. Moreover, the members of the Chamber, and its Associations, very largely control the import trade in piece-goods, metals, etc., and still more largely the export trade in raw jute, and jute manufactured goods, tea, grain, hides, etc.

5. *The trade of Bengal.*—In the last pre-war year—1913-14—the value of the import and export trade of the Presidency of Bengal reached the large total of Rs. 18,325 lakhs (£123½ millions at 1*s.* 4*d.*). In 1834-35 the corresponding total was Rs. 680 lakhs (£6,800,000 at 2*s.*). It is not an exaggeration to say that this enormous increase roughly suggests the extent of the growth, during the intervening period, of the commercial interests centred in the Chamber.

6. *Existing representation of European commerce in the Imperial and Bengal Legislative Councils.*—The foregoing is an outline of what these commercial interests consist. It is now necessary to examine the extent to which they are represented in the legislature of the country. In the Imperial Legislative Council the European commerce of the whole of India is represented by two members, who are elected respectively by the Bengal and the Bombay Chambers of Commerce. In the Bengal Provincial Council the re-

presentation is admittedly not so entirely inadequate. Its extent is shown in the following table:—

Members elected by—	
Bengal Chamber of Commerce	2
Calcutta Trades Association	1
Chittagong Port Commissioners	1
Bengal Tea Planters	1
Members nominated—	
Other British commercial interests	1
Specially nominated	2
	8

7. *Inadequacy of existing representation.*—There is no desire on the part of the European community to claim a disproportionately large representation in the Councils. But it is claimed that the representation must be adequate. A community which, in comparison with the great Indian communities, is numerically insignificant, but which stands for vast interests, must claim representation on the basis of those interests. The adequacy of the representation to be given must be, that is to say, judged by the extent of the interests, and not by the numerical strength of the community.

8. *Election as opposed to nomination.*—The Chamber of Commerce is strongly opposed to a reversion to the principle of nomination. By the regulations framed under the Indian Councils Act of 1892 the Chamber was empowered to recommend for nomination in respect of both the Imperial Council and the Bengal Provincial Council. But under the Act of 1909 a system of election was introduced. There must be, therefore, no question now of reverting to the Act of 1892. The principle of election has been conceded, and it must be retained. It is not suggested that the Government ever exercised their right to refuse to nominate a recommended candidate. But the Chamber claims that this right on the part of the Government is unnecessary, and should not exist. The European commercial community is as much entitled to elect members as any other community. Under the nomination system there is no guarantee that the community will be represented by the men whom it may wish to represent it. Nor is there a guarantee of any representation at all.

9. *Proposals for future representation: Council of State.*—In the past the representation of European non-official interests in the Imperial Legislative Council has been, it must be acknowledged hopelessly inadequate. As has been shown the Bengal Chamber and the Bombay Chamber alone have been represented. The European commerce of the rest of India, not to speak of the general body of the important British community, has been permitted no voice in the legislatures, except on rare occasions when special nomination has been granted. In the future, it will be in the Council of State, and the Imperial Legislative Assembly, that the questions of the greatest moment to the commercial community will be discussed. Finance, fiscal policy, railway policy, the development of industries, the extension of commerce, the improvement of agriculture, and other cognate subjects will be dealt with chiefly by the Central Government. The Provincial Legislatures will frame and dispose of commercial and industrial legislation only as affecting their own provinces. This legislation must be of necessity restricted, and must be of infinitely less consequence than the corresponding legislation to be undertaken by the Imperial Government. It follows that in the Council of State the European British community must be adequately represented. In a Council of fifty members it cannot be deemed to be unreasonable that European commerce-

and industry should claim three elected members. The Bengal and Bombay Chambers should, that is to say, be empowered to elect one member each, and the third member might be elected jointly by the Madras, Rangoon, Karachi, and Upper India Chambers. In addition it must be surely conceded that the European British community is entitled to elect one member, thus making four European elected members in all.

10. *Proposals for future representation: Imperial Legislative Council.*—If in a Council of State of fifty members it is reasonable to ask for four Europeans, it follows that in an Imperial Legislative Assembly of one hundred members there should be eight European representatives. This arrangement would enable the leading Chambers of Commerce to be represented, and it would also ensure that the general European community would not be overlooked so completely as they are at present.

11. *Proposals for future representation: Bengal Legislative Council.*—In the Bengal Provincial Council the European interests of the Province are obviously entitled to a very much larger share of representation. In the existing Bengal Provincial Council the Europeans are approximately 20 per cent. of the non-official members. Assuming the new Council to consist of a hundred members, of whom, say, fifteen would be officials, there ought to be seventeen non-official European members. This would ensure not only the representation of the European community generally, but also the great special interests, such as the railways, jute mills, the tea industry, the import trade, the export trade, the mining interests, shipping, inland navigation, general and local commerce and industry.

12. *Number of Europeans.*—It has been stated that this claim to representation is not based on the numerical strength of the European community. It is, however, desirable that these figures should be given. According to the census returns of 1911 there were at that time 185,434 European British subjects in India of whom 119,732 were males over fifteen years of age. Of these 99,681 Europeans were classified as actual workers. The figure for all-India must be, therefore, considered to be approximately 100,000, inclusive of 65,971 in the Army and the Police. The European British male subjects over fifteen years of age in Bengal were given as 12,413; and the male workers as 11,887 of whom 3,610 were designated as "Public Force", *i.e.*, Army and Police.

13. *The Anglo-Indian community.*—The Anglo-Indian and the European British communities should be classed separately. The interests of the two are of course to some extent similar. But it cannot be said that the Anglo-Indians are responsible for great commercial interests; or that they are able, to the same extent as the British, to uphold British traditions, and to strive for British ideals.

14. *Voting qualifications.*—As regards voting qualifications, it is suggested that the special representation accorded to the Chamber of Commerce, the Trades Association, and the Planting community, should be continued on the present system, *i.e.*, election. For the communal voting by the general European electorate it will be necessary to define who is meant by the term "voter". The following definition is one which might be suitable for the purpose:—

> A male British-born subject paying Indian taxes and ordinarily resident in India but domiciled in the United Kingdom, or in a British Colony, or whose father or grandfather was at the time of his death, domiciled in the United Kingdom, or in a British Colony.

Conclusion.—In conclusion it is reiterated that the number of European non-official members of both the Imperial and the Provincial Councils must be adequate. And the number of representatives suggested in paragraphs 9 to 11 above certainly cannot be deemed to be excessive. It is, on the contrary,

the irreducible minimum, anything below which would be entirely unacceptable. It is in no spirit of racial antagonism, or of opposition to the interest of the great Indian communities, that the Europeans press their claim. But they have great material interests, and they maintain that those interests,—to which the prosperity of India is acknowledged to be largely due—must be adequately represented in any scheme of responsible Government. It is, moreover, to the advantage of the Indian communities themselves that they should have within their legislative bodies as large a number as possible of those men of British race who, without being officials, are inseparably united to India, and who mainly direct and control her foreign commerce. And it is claimed that, here in Bengal at least, educated Indian opinion does recognise and admit their necessity. For the non-official members of the Bengal Provincial Council recently resolved, with complete unanimity, that the number of European non-officials, in both the Imperial and the Provincial Councils, should be adequate; that it should be sufficient to safeguard European interests; and that it should increase in correspondence with any increase in the total number of elected members of the Council. This, and no more than this, is the claim which the European community makes, and which must be conceded in the new system of Government that is now to be established.

Memorandum submitted by the BENGAL CHAMBER OF COMMERCE regarding the election of representatives of the Chamber on legislative bodies.

For many years the Chamber has returned representatives to the legislatures. The principle of the election of these representatives was conceded when the Morley-Minto scheme of reforms was introduced in 1910; prior to that time the Chamber had recommended members for nomination by the Government. In regard to certain bodies other than the Legislative Councils the principle of election was in operation, but unfortunately the simple methods of election followed in respect of these bodies were not adopted for the Councils. A more complicated procedure was introduced, and this became still more complicated with the establishment of the Montagu-Chelmsford Councils ten years later. For an attempt was then made to bring the procedure for commerce and industry constituencies into line, more or less, with the procedure prescribed for general constituencies. This necessitated an Electoral Roll, and the question at once arose as to what names were to be entered on the Roll.

2. With one exception the members of the Chamber are firms, companies, or corporations, and it was agreed in 1920, by Government and the Chamber, that the provisions of the rules would be complied with if the names of the members, exclusive of aliens, were entered on the Roll. This arrangement lasted until 1924, but in the petition presented against the return of Mr. Byomkesh Chakrabarti to the Bengal Legislative Council as a representative of the Bengal National Chamber of Commerce the Commissioners took the view that only the names of individual persons, and not the names of firms, companies, or corporations as such, could be entered as electors on the Electoral Rolls of commerce and industry constituencies. The Chamber did not contest the decision of the Commissioners as to the legal interpretation of the rules as framed, and in July 1924 the Government of Bengal informed the Chamber that, in order to give effect to the decision, it was proposed to submit for the consideration of the Government of India certain modifications in the Electoral Rules, of which particulars were given. Meantime however, recognising that the position must be accepted for the time being, the Committee of the Chamber had already taken steps to prepare a revised Electoral Roll for the Chamber constituency of the Bengal Legislative Council;

Memorandum by the BENGAL CHAMBER OF COMMERCE *re* THE ELECTION OF REPRESENTATIVES. [*Continued.*

and this Roll was in due course completed by getting the various firms, companies and corporations each to nominate an individual connected with such firm, etc., for inclusion in the Electoral Roll. The Chamber's reason for taking the initiative in regard to the Bengal Council Roll was the doubt whether, in the forthcoming session of the Council, the presence of the Chamber representatives in the Council might not be challenged on the ground that their election was invalid.

3. But the modifications suggested by the Government of Bengal, and referred to above, did not meet with the approval of the Chamber Committee, and they informed Government that they were not prepared to accept a system of election which necessitated an Electoral Roll giving the names of persons, that is to say, the names of partners in firms and directors of companies. They pointed out that such a Roll may be considered to be for all practical purposes impossible in the case of the Chamber, because of the frequent changes among the personnel or partners in firms and directors of companies. The Committee accordingly proposed that the alterations in the electoral rules should be such as to enable members of associations such as the Chamber to elect their representatives in their own way subject to the approval, by the Governor in Council, of their regulations.

4. The Chamber maintains that it was never the intention of the framers of the Reforms Scheme to prescribe, for constituencies such as the Chamber, such complicated regulations as were in fact introduced. Lord Southborough's Franchise Committee of 1918-19 was required to advise *inter alia* as to how representation could be adequately and effectively secured in the new Councils for special interests. In dealing with this part of their reference the Franchise Committee said in paragraph 23 of their report:—We are satisfied that the method of "representation through associations has worked well in the past and should be continued in the future. Where therefore we have found associations which have been proved to our satisfaction to be fully representative of the various interests concerned we recommend that election to the special seats provided by us for commerce and industry should be made by their members.....We have recommended safeguards against the abuse of the method of election through association by proposing that the regulations for elections should in each case be approved by the Governor in Council who will further have authority to modify the system of representation in order to meet any alteration in the position or constitution of the different associations. The regulations should contain provisions for ensuring that all electors have a place of business within the province". It is clear from this extract that the Franchise Committee intended that the members of associations such as the Chamber should elect their representatives in their own way subject to the approval, by the Governor in Council, of their regulations.

5. Two examples may be quoted of the application of a simple system of election by the Chamber. The first of these is to be found in the Calcutta Municipal Act of 1899; the second in the Calcutta Improvement Act of 1911. Section 58 (1) of the Calcutta Municipal Act of 1899 provided for the appointment of Commissioners by the members of the Chamber in such manner as might be determined at a meeting of the Chamber to be convened in accordance with the provisions of rules made under section 8 (3) of the Act. In exercise of the powers thus conferred the Government of Bengal framed the following rules which they published on the 9th July 1900:—

> 1. When the term of office of any Municipal Commissioner appointed under section 8 (2), (*a*), (*b*) or (*c*) is about to expire, or when a vacancy has occurred, or is about to occur, by reason of the death, resignation, removal or disqualification of any such Commissioner, the Chairman shall cause a notice to be addressed to the President of the Bengal Chamber of Commerce, the Master of the Calcutta Trades Association, or the Chairman of the Port Commissioners as the case may be, stating the

Memorandum by the BENGAL CHAMBER OF COMMERCE *re* THE ELECTION OF REPRESENTATIVES. [*Continued.*

number of vacancies in which Commissioners are to be appointed, and fixing a date for submitting the returns prescribed by section 58 (2) of the Calcutta Municipal Act.

2. On receipt of the said notice, the President of the Bengal Chamber of Commerce, the Master of the Calcutta Trades Association, or the Chairman of the Port Commissioners shall respectively proceed to take steps in such manner as may from time to time be decided upon by the Chamber, the Trades Association or the Port Commissioners for the purpose of appointing Commissioners to fill the said vacancies.

6. In pursuance of these rules the members of the Chamber adopted the following resolution in special general meeting on the 7th August 1900:—

That until otherwise determined at any future meeting of the Chamber, the appointment of a Commissioner or Commissioners under section 8 (2) of the Calcutta Municipal Act III (B.C.) of 1899 shall be made by a majority of votes of members of the Chamber. Such votes shall be given by voting cards to be issued by the Secretary on the direction of the President and to be numbered and signed by the Secretary. No voting cards shall be received or used unless so numbered and signed. The voting cards shall be signed by the members voting, and shall be returned to the Secretary within three days from the date on which the same shall be issued and no voting cards shall be used unless returned within that time. On the return of the voting cards to the Secretary, such cards shall be examined by two members of the Chamber who shall be appointed by the Committee as scrutineers. The scrutineers shall report the result of their examination of the voting cards to the Secretary and such report shall, as to appointment of any Commissioner or Commissioners, be final and conclusive.

7. Section 4 (*a*) of the Calcutta Improvement Act 1911 provides that the Board of Trustees shall consist of eleven persons one of whom is to be a member of the Bengal Chamber of Commerce; and section 7 (2) of the Act provides that this trustee shall be elected by the Chamber. In exercise of the powers conferred by section 137 (1) of the Act the Government issued, on the 20th December 1911, the following rules governing the election:—

1. In these rules, "member of the Chamber" means a person who—

(*a*) is a permanent member of the Bengal Chamber of Commerce, or

(*b*) is entitled to exercise the rights and privileges of permanent membership of the said Chamber on behalf, and in the name, of any firm or joint stock company, or other corporation.

and who has a place of residence in India.

2. (1) On or before such date as may be appointed by the local Government in this behalf, the Secretary to the Chamber (hereinafter referred to as the "Secretary") shall, under the direction of the President, send to each member of the Chamber a voting card, which shall be numbered and signed by the Secretary.

(2) Any voting card which is not duly numbered and signed by the Secretary shall be invalid.

3. (1) Each member of the Chamber shall have one vote only,

(2) Every member desirous of voting at the election shall record his vote on his voting card and sign it, and shall return the card to the Secretary within seven days from the date on which it was issued.

(3) Any voting card which is not returned to the Secretary within the said period of seven days shall be rejected.

4. On the return of the voting cards to the Secretary they shall be examined by two members of the Chamber, who shall be appointed by the Committee of the Chamber to act as scrutineers.

Memorandum by the BENGAL CHAMBER OF COMMERCE *re* THE ELECTION OF REPRESENTATIVES. [*Concluded.*

5. (1) The scrutineers shall report the result of their examination of the voting cards to the Secretary.

(2) The candidate who has obtained a majority of votes shall be deemed to be elected, and the report of the scrutineers shall be conclusive evidence of his election.

(3) If the voting has resulted in a tie between two or more candidates lots shall be drawn, in the presence of the scrutineers and in such manner as the President of the Chamber may prescribe, to determine which candidate shall be deemed to be elected.

8. In the case of the Corporation of Calcutta the method of election as defined above was in operation from 1900 until the Municipal Act of 1923 came into force. It was a simple, direct and practical method, and it was never known to create even the smallest difficulty. The similar system which was made applicable to the Calcutta Improvement Trust has also worked most satisfactorily since 1911. It may be explained that the procedure which is now in force with regard to the election of representatives to the Corporation of Calcutta requires an Electoral Roll, but the Roll consists of the names of members of the Chamber, that is to say, of firms, companies, etc., and not of the names of individuals. This arrangement is of course very much more satisfactory than is an Electoral Roll of individuals, because it has not the result, as the "individual" Roll has in the case of an electorate like the Chamber, that in a short time after the Roll has been completed a considerable number of those whose names appear on it will be found to be absent from India on leave. A point of importance is not only the possible loss of a vote in the election of a representative but—as has been found again and again in practice—the omission of the name of a person willing to come forward as a candidate for election but unable to do so because his name does not appear on the Electoral Roll.

9. The Chamber has been in correspondence with the Government of Bengal on the subject for some time past. They have suggested that the rules should be so amended as to enable the Chamber to elect its representatives on a simpler system. And they are glad to say that the Government of Bengal have expressed their willingness to recommend the amendment of the rules in this sense. The Chamber put forward certain definite amendments as framed by Counsel, and these were largely adopted by the local Government and, the Chamber understands, submitted to the Government of India. It is unnecessary to refer in detail to the changes proposed but it is sufficient to say that a modification of the rules on the basis of the suggestions would eliminate the Electoral Roll altogether and introduce a simpler system of election similar to that prescribed by the Calcutta Municipal Act of 1899 and the Calcutta Improvement Act of 1911, which is referred to above in paragraph 5.

Mr. E. C. BENTHALL, M.L.C., Representing the Bengal Chamber of Commerce.

Mr. W. H. THOMPSON, Mr. H. CAREY MORGAN } Representing the European Association, Calcutta.

1. *The Chairman:* Who is speaking on behalf of the European Association?—(*Mr. Thompson*): We submitted two notes, one on behalf of the European Association and another on behalf of the Bengal Chamber of Commerce. We also submitted a joint memorandum.

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(*Mr. Benthall*): Mr. Thompson and Mr. Carey Morgan will answer questions on behalf of the European Association. About the answers to the questionnaire submitted by the Bengal Chamber of Commerce, I shall reply to oral questions.

2. *The Chairman:* I am sorry we have received the Chamber's statement only this afternoon, and we have not been able to examine it at such short notice. Now on the joint memorandum, Mr. Thompson will speak, I think. I understand that the joint committee are in favour of extending the direct electorate to ten per cent. of the total population. Am I right?—Yes. We said not more than ten, I think.

3. You say, 'it should be sufficient for the time being, to endeavour to bring in ten per cent. of the population'. I understand further that you are opposed to the group system and you favour the method of direct qualification on the property basis. Do you include education also as a qualification?—No.

4. So you base the qualification on property alone?—Yes.

5. Have you got any proposal for enfranchising in any way the remaining 90 per cent. of the population?—None.

6. You think that the enfranchisement of ten per cent. on property alone would be an adequate foundation for a legislature which will have, under a system of responsible government, the power of taxation and legislation in the province?—For the present that is sufficient.

7. Now you make a proposal in the earlier part of your memorandum for substituting the existing property qualification by a record of rights. I want you to explain very briefly what would be the superiority of that method over the existing method and why the existing method is in your view unsatisfactory?—All the assessments and taxes in this country are imposed rather on the holding than on the individual. When you have a high franchise, you get the right type of representatives, as the limit is high. But when you come lower down you cannot get down to, for instance, the co-sharers in a big holding who are substantial people in the country, and each of whom may have property worth that of three other individual persons who are now enfranchised. We thought therefore that when the franchise is being lowered, it is necessary to look more carefully into the matter and not base our franchise purely on assessment.

8. *Sir John Kerr:* I do not want you to go into detail here, but the record of rights in very many villages in Bengal is several years old; is it not so?—Yes.

9. And it is not known if any attempt has been made to bring it up-to-date in this province, is it not?—None whatever.

10. The number of cases which are not brought-up-to-date is very large?—Yes.

11. And it would involve considerable labour to bring it up-to-date, and to bring the co-sharers on to the electoral roll would be very expensive?—Yes.

12. You have to add and subtract from the list from time to time, and especially in East Bengal the labour would be very considerable?—Yes.

13. *The Chairman:* I understand that the joint committee is not in favour of specially extending women's suffrage. That is to say, you are not in favour of the recommendation of the Statutory Commission that wives and widows should be enfranchised on their husbands' qualification.—That is so.

14. You think that women should get their suffrage only on their own property right and that alone. If so, do you see that only a very few would get on the electoral roll, and it would make no considerable addition to the very small number now enfranchised?—Yes.

15. A proposal has been made that inasmuch as property and capital, *i.e.*, landholders, planters, chambers of commerce and so on get some special

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representation in the legislature in their capacity as a special interest, labour ought to have some direct representation also and that the proper body to give that representation is the trade union. I am speaking of organised labour as opposed to organised capital. I understand that you are opposed to that proposal. Is that on the ground that labour as such ought not to be specially represented or that the trade unions are not organised in a manner to fit them to exercise that responsibility?—What we have said is that we cannot find suitable substitutes for the system of nomination. We do not want to deny representation to labour. We are in favour of labour representation.

16. You think it will be a fair thing that, inasmuch as capital is represented, labour ought also to be in a position to express its special needs and interests apart from the representation they may get in the ordinary electorate. The businessman has got a double vote, and you would not object to labour having the advantage to the same extent?—I do not object.

17. Turning to the Federal Legislature, you say that there is over-representation for Bombay, and that the proposal to continue to extend it in future would not be fair. So you propose to reduce the special representation of some provinces?—I would reduce the special representation of Bombay to such an extent as would be proportionate to the population.

18. You say that federal constituencies would be so enormous that they could not be successfully worked. Is it impossible for the Federal Legislature to poll as many voters as are polled for the Provincial Legislature? There is no physical impossibility in doing so. The candidate may not be able to get into touch with the actual people, but it is not physically impossible. Is it not so?—It is difficult to establish contact between the candidate and the very large number of people who vote.

19. Then you go on to say that 'in these circumstances the Joint Committee feel that a system of indirect election will have to be accepted'. What do you mean by that, as applied to the Federal Legislature?—We want it to be recognised that it is really a federation of the provinces and we visualise trouble between the provinces and the centre if the centre is ruled by separately elected representatives who may not be in touch at all with the Provincial Legislatures of the Provincial Government.

20. The proposal of the Round Table Conference was that the Upper House or Senate should be composed of representatives elected by the Provincial Legislature and the Lower House should in some way represent the nation as a whole. I understand that your position is that both the Lower and Upper Houses should be constituted by election from the Provincial Legislature, is it not so?—The representatives from the provinces in both the Houses should be delegates from the provincial legislature rather than be members elected by a separate electorate.

21. Would the same legislature elect delegates or members to both Houses? —It would rather depend on whether there are to be two legislatures in the provinces or not.

22. If there are two legislatures in the provinces?—We may then make arrangements that the Upper Provincial House should elect members for the Upper Federal House, and the Lower Provincial House to the Central Lower House. What we want is that both the Houses should be representative rather of the Provincial Legislatures than of the people of the provinces.

23. Would there not be some objection raised that in such a case the nation as a whole will have no opportunity to consider independently the affairs of the province?—What we are afraid of in a Federation is that some side of India may get hold of the whole thing, if the Lower Central House is to be elected from an electorate for the whole of the country. The danger then might be that the Federation would come under the influence of one side. If Bombay got hold of the Centre, then they would pass taxation bills and other

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measures which would make it impossible for Bengal to stay in the Federation. That is what we are afraid of, in the matter of the working out of the Federation. We do not want to give a passport for such provinces to do as they like.

24. You do not think that if the centre is controlled by some of the provinces as such, the provinces themselves would begin to take full powers?—We want to avoid the chance of such conflict as much as possible.

25. You do not think that by constituting the Lower House from the nation as a whole, there would be much danger, as the tendency of the provinces would be to have full powers,—It is difficult somewhat to understand the expression ' nation as a whole ' as applied to this case.

26. I will explain. If there is a provincial election over a central issue, where the central issue predominates, and a central election over a provincial issue, both will be blurred. But if the Lower House were elected from the nation as a whole, leaving the Upper House to be elected by the Provincial Councils, the election would turn on a national issue. They would not be elected on a provincial issue. The history of all countries, especially of Federations, shows that everywhere this distinction has always been borne in mind and has worked satisfactorily in practice.—I don't see that the national issue will ever come before the local voters. I consider that elections in a province like Bengal.....

27. They would not be affected by matters like tariffs and possibly income-tax?—They would be.

28. Anyhow that is your view?—That is our view at present, with regard to the elections to the Central Legislature.

29. *Sir John Kerr:* I just want briefly to know your views about the representation of labour. It has been suggested that you may have labour representation through the group system in this way. Take the jute industry. There are about 300,000 labourers employed. A Government officer will go round and divide the labourers in jute mills into groups of 20. This group of 20 will elect a Mukhia to vote on their behalf. Accordingly you will have 15,000 secondary voters. There are two objections to this. The first is that the Sirdars would exercise a good deal of influence and the other is that labour is very fluid. It is here this week and gone next week. Would you care to express an opinion on this question?—We rather imagine that in your groups the selection would not be on any political issue. It would be on the communal. One caste will be against another. The real issues will not be seen at all. Suppose you had Hindus and Muhammadans in the same group there would inevitably be a majority of Hindus or Muhammadans and the minorities would suffer.

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30. *Mr. Chintamani:* Will you kindly refer to paragraph 16 of your statement. You say that at present there are certain classes who are unwilling to admit that they belong to the depressed classes, but that if you give them separate electorates of their own they would probably be more ready to allow their names to appear on the rolls of the depressed classes. May not this also be a temptation to classes who are not really depressed to call themselves depressed in order to take their names on to the electoral roll?—My experience of these people is that their minds do no work in that way at all. They would avoid being classed as depressed classes.

31. But then if there is special representation they might like to see their names included in the electoral roll, and call themselves depressed?—You can't change their mentality.

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32. What is your special objection to reservation of seats in a joint electorate? Will you kindly elaborate that?—We felt that the depressed classes would be best represented if they got special representation.

33. By the same process of reasoning others might also claim to have special representation?—We would not listen to them.

34. You would not listen to them?—No. We want the depressed class people to be represented by people who really represent them. If they go into the joint electorates and if there is a depressed class man standing and he does not make common cause with the caste Hindus, he will not be able to come in.

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35. If other castes and classes plead for separate electorates?—We will not pay attention to their pleadings.

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36. *Mr. Tambe:* Do you know what percentage of male adult population is at present enfranchised?—Not exactly.

37. Do you think that your proposal is going to widen the franchise at all?—It is well under 10 per cent. I cannot give you exact figures. You can't expect a Chamber of Commerce to give those figures.

38. You want 10 per cent. of the adult population to be enfranchised?—It seemed to us that it would be practicable.

39. Do you know what difference is it going to make?—Considerable difference.

40. Would you like your community to be restricted to 10 per cent. adult males?—No. We use something different in our own country.

41. But in India would you make a differentiation?—Certainly.

42. The restriction of the women's franchise would apply to the women of your community also?—Yes. We do not want to give them any more say in the matter than they have at present.

43. Do you apprehend that in a joint electorate if seats are reserved for your community with, say, the Muslims or the non-Muslims, your interests will not be properly taken into consideration?—Yes.

44. *Khan Bahadur Aziz-ul-Huque:* Supposing I tell you that the male adult population enfranchised at present is 9·6 per cent., would you revise your view?—I should not believe you.

45. Will you believe this report? (A copy of the Report on the working of the Reformed Constitution in Bengal was shown to the witness). On page 131 of this report the total male population is given and the number of those who are enfranchised is also given. The number of former is 13,232,141 and of the latter is 1,275,561. The percentage is 9·6. Would you change your view in view of this statement?—The point is that we are prepared for a considerable increase is the franchise, but we are not experts in figures. All that I would say is that we are prepared for a considerable increase and the limit of that increase was placed on considerations of practicability. That is a matter on which a Government expert would be more capable of giving an opinion than ourselves.

46. You will not be able to give us an idea as to what will the guiding principle in finding out what will be the practicable figure. At present about 10 per cent. are actually enfranchised. Would you tell me what percentage would you like by way of an increase?—I will say that a very much increased roll would bring in increased difficulties in the way of elections, and from that point of view you must put a limit on the extension of the franchise.

47. Supposing the people of the country want adult franchise, do you have any objection to that?—We would point out that we want a real election and not the sham thing which it would be if it is an enormous thing.

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48. In the past, has it not been your experience that in matters of tariff Bengal has been particularly affected and Bombay and other Provinces have gained?—It is so. That is our point when we suggest that we want to avoid the possibility of one province only getting hold of the centre. Bengal should have adequate representation.

49. Recently, in the case of taxation on salt you have been particularly affected?—Our eyes were open to that; it is you people in the Council who did not see.

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50. *Diwan Bahadur Ramaswami Mudaliyar:* With reference to the Federal Legislature, you know that Federal Structure sub-Committee recommended 32 seats for Bengal in the Lower House and 17 in the Upper House, the total being 49 seats. Even granting that you have a second chamber for your province, I take it that the total strength of the two houses would not be much more than 300, 200 for the Lower House and 100 for the Upper House. It would mean that for every 6 members of the joint house you would have a right to send 1 member to the centre. You realise that it would be a very restricted constituency and they will guide the destinies of the nation as a whole. Do you think it would be a satisfactory arrangement having such a small constituency. And with your experience of the Legislative Council of your own Province do you think it would be a satisfactory arrangement to give to this Council the right to send 6 members to the Federal House?—I consider it would not be ideal, but it would be better than the enormous constituencies which would have to be formed if you had direct election.

51. Granted that such a system is acceptable, how would you get over the fact that other provinces are not acutely interested as you are in, say, such a question of salt, which is imported from abroad, and those provinces would still overwhelm you in the Legislative Assembly. You have suggested this as a remedy against the evil that Bengal interests might be submerged by Bombay?—Not at all.

52. Or other provinces, if direct election were introduced. I ask you how that is. Provincial interests may suffer, and you suggest this system of the Provincial Council electing representatives to the Federal House. I ask you how, by this method, you can any more guarantee your interests not suffering than by the other method. Take the wheat bill and the salt bill which the Legislative Assembly fought the other day. It peculiarly affected Bengal and no other province. Was the Bengal Legislative Council unanimous when it discussed this question?—It was practically unanimous, as there was no division.

53. Therefore you suggest that the Bengal representatives should be chosen because they will be the mouthpiece of the Legislative Council in the Federal House?—Rather the mouthpieces of the Provincial Government.

Might I give one short explanation of how we arrive at 10 per cent. The letter from the Prime Minister, paragraph 3 reads:

> "The legislature should be representative of the general mass of the population, and that no important section of the community may lack the means of expressing its needs and its opinions."

The Franchise sub-Committee of the Round Table Conference were of opinion that adult suffrage was the goal to be ultimately attained, but the majority did not think that it was practicable to reach this goal immediately, and recommended "the immediate increase of the electorate so as to enfranchise not less than 10 per cent. of the population, indeed a larger number—but not more than 25 per cent. of the total population—if that should, on full investigation, be found practicable and desirable". We worked on those figures and recommended that 10 per cent. would be sufficient for the time being.

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54. *The Chairman:* I suggest you might give a little consideration to what has been sometimes described as the "hybrid plan" originally put forward at the Round Table Conference Franchise Committee. On this basis let us assume that the official world says it is possible to enfranchise 10 per cent. of the population. That will give you 5 million voters in Bengal as opposed to 1½ million to-day. Let us assume that you enfranchise some proportion of that 5 million on the basis of property. You may enfranchise two, three or four million, according to the way you draw the line. Wherever you draw the line you are going to leave out the great mass of the rest of the population, 90 per cent. You are not building a very stable foundation for Government if you give the power to so narrow a section without giving the other sections any voice at all. If they are oppressed, exploited, or their interests are not considered, how is it possible to devise a system whereby by grouping the rest of the population you could add to the electoral roll one million or two millions of people, and so no section of the population would be able to say that it had no voice at all. It is true that some proportion would have a larger voice. I would like you to consider whether that would be a desirable system if you could work it out. I don't want an answer now.—Would you like me to submit a Memorandum*?

55. Yes. The point that strikes us immediately is that you have got to enlarge your roll whether you have direct or indirect election.

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56. *Mr. Chatterjee:* Mr. Thompson, would you agree that in the coming Council it is desirable that the European members should enjoy the confidence of the Bengal people?—Primarily they are the representatives of their constituencies.

57. Do you consider it desirable that they should command the confidence not only of Europeans but of the people of this country?—That should not be a qualification for nomination.

58. Would it not be desirable to have members on that footing in the coming Council?—Yes.

59. Do you not agree that if you had a joint electorate of Indians and Europeans, with a number of seats reserved for the Europeans, that that would ensure the Council being a more representative body of Indians and Europeans?—The representative would not be the representative of Europeans.

60. Do you say that the European member must necessarily be restricted to seeking franchise from Europeans?—That is the idea, that he should represent Europeans on the Council in a separate electorate.

61. Would you say that the European who commands the overwhelming confidence of Indians is undesirable?—That should not be the criterion for this election.

62. Your idea is that the basis of the franchise should be the rent or profit basis?—Yes.

63. Do you realise that land in Bengal does not always yield a profit. For instance, 4 acres of land in Dacca may be fifty times more profitable than land, say, in Bankura, and there are other factors which may reduce the difference according as the rate is high or low.—Yes.

64. To arrive at this profit basis it would be necessary to have elaborate enquiries as regards the value of crops, and the expenses necessary to produce those crops.—You need not go into such detail. All you need to find out is, who are the substantial ryots and give them the vote.

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65. You say you are in favour of extending the franchise so as to include as many cultivators as possible?—To include those who had a solid piece of land of their own.

66. I might remind you that in your own report you state that the average holding in Noakhali was less than 2 acres.—Yes, but there were several holdings belonging to the same man.

67. Even if it were possible to prepare a roll on the basis of profit, will you not be excluding a very large number of other substantial people who have no land, as, for instance, shopkeepers?—There are no shopkeepers in villages.

68. There are *mahajans*.—Yes, but not shopkeepers.

69. You would not include in your electoral roll anybody who has not got land?—That is one of the bases, but if a man pays income-tax he would be eligible.

70. In the case of a man who pays union board rates to the maximum of Rs. 84 per year?—He would be qualified if he paid that much.

71. *The Chairman* (to Mr. Benthall): What is the number of European representatives which the Chamber of Commerce would like to see in the new Council? I understand that they have 10 here out of 114. If the House was doubled in number, you would want 20, so as to keep the same proportion?—We claim the same proportion as we now have.

72. Supposing you have a second Chamber also, what number would you want?—We claim the same proportion in both Chambers as we have at present in the one Chamber, but we would be prepared to consider a large proportion in one House or the other. This would depend upon the powers of the two Houses.

73. You want the method of election for the Chamber of Commerce altered? What is the statutory basis upon which you elect now? Who makes the regulations that govern the election of a member of the Chamber of Commerce, or of these associations?—Who draws up the rules, do you mean?

74. Yes.—The rules are drawn up by the Bengal Government. The trouble at the moment is that individual names are included in the roll, and we find that they have moved to Bombay or have gone on leave. We also frequently find that firms who should be on the roll are not on the roll, and that other firms, who are on the roll, have gone into liquidation.

75. Why is that so? Who is responsible for forming the roll to-day?—The Bengal Government.

76. Do you mean that the Bengal Government does not keep in sufficiently close touch with things?—Yes, it does not keep the roll up to date. We would also like an adjustment made in the method of representation in accordance with the methods which I understand are adopted in Bombay and Madras.

77. You want the method of franchise to be brought into line with the system which operates in Bombay and Madras?—Probably that is correct, though I am not familiar with their systems.

78. You are dissatisfied with the existing system?—It does not work fairly with us.

79. *Lord Dufferin:* What is the difference in interest between European and Indian commerce? Why do you separate yourselves?—We do not think that either would be satisfied with a joint electoral roll, nor do we think we would get a proper amount of representation.

80. Do you consider you are getting proper representation at present, as a European Chamber of Commerce?—Yes, as a member of the Chamber of Commerce.

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81. *Mr. Miller:* Would you suggest that the member nominated by the Associated Chambers in the Assembly should represent the remaining Chambers?—In our Memorandum we state that as we have had a very short time to consider the matter of the protection of interests for which the Chamber stands, we do not want to give any opinion that might be contradictory to other Chambers, and that we would prefer to delay submitting an expression of opinion until we have consulted with other Chambers. We have at present one nominated member in the Council of State, and we specifically ask for the continuation in the new Upper House of the same proportionate direct representation as it now has in the Council of State.

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82. *Major Milner:* How, in your opinion, is labour to be represented in the legislatures; is it through trade unions or what?—With my experience of trade unions in the past, I would say that a great many of them are started at times of political excitement or economic trouble and some of them are started with ulterior motives. For that reason, we do not feel it necessary to give representation for trade unions. I am not referring to the one or two efficient trade unions which are recognised.

83. You would, of course, limit recognition to the properly constituted trade unions and give special representation to labour through these unions?—My experience of them is that they do not represent labour.

84. I am putting the question to you on the basis that they are properly constituted trade unions?

The Chairman: I do not think you can ask him that question.

85. *Major Milner:* Then I propose to ask him a question about the constitution of one of the chambers here. I should like to know the number of members who constitute the Bengal Chamber of Commerce?—About 220.

86. They are represented by two members?—Six.

87. And yet you want to deny representation to some thousands of labourers?—We wish labour to be represented in the best manner possible, and, we do not think, from our experience of trade unions in the past, that the representatives chosen by the trade unions would be satisfactory. A great deal was said about the constitution, etc., of trade unions when the Labour Commission took evidence and there is a mass of detail given in that Commission's report, I think.

88. The Labour Commission recommended that the representation to be given to labour should be through trade unions?—I should think, only through properly constituted trade unions.

89. "If they are properly constituted." The Labour Commission suggested that there should be a tribunal to decide how far trade unions were eligible to represent labour, how they were constituted and so on and that, then only, they should be given representation. That being so, will you be able to give representation in that form?—From my experience I may say, again, that there are not more than one or two unions properly constituted and therefore the whole representation of labour should not be left in their hands.

90. You are only 220 in number and you have six representatives, whereas for labour which consists of tens of thousands you would deny representation?—May I ask where these tens of thousands exist?

91. In the railway union alone there are 46,000 workers.—My experience is confined to the jute mills. I was speaking only of the jute mills union.

92. You will admit that the Calcutta Chamber of Commerce and the Trades Association are all representing capital?—Yes

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93. How then do you propose that labour should be represented?—We have sent in our views on which we have not been cross-examined. At the present moment we cannot see any better way than nomination. We have been asked by the Chairman to submit a note on the group system.

94. Would you not give special representation for labour?—We do not propose to support representation for trade unions as we have experience of them here.

95. The effect of that is that you deny representation to labour?—By election.

The Chairman: I do not think you are entitled to go on putting interpretations on his answers, Major Milner.

Major Milner: He is perfectly clear. He claims representation for capital and denies representation to labour in any form.

The Chairman: He does not deny representation to labour. He says that the best way of representing labour at this stage is through nomination and not through trade unions. It is a matter of opinion.

(*Mr. Benthall*): I strongly support representation of labour but by nomination.

96. *Diwan Bahadur Ramaswami Mudaliyar:* At present the various European commercial organisations have got representation in the council as also Indian commercial bodies like the Bengal National Chamber of Commerce, the Marwari Association and so on. Supposing all these bodies, Indian and European, are grouped into one electorate and the number of seats you are now getting is reserved to you on the basis of the general electorate with reservation of seats, do you think your association would have serious objection to it, especially considering the fact that the diversity between Indian commerce and European commerce will be less and would tend to be less?—The body I represent examined that question and I have given the answer to the Government. First of all, I do not think it will be satisfactory to the Indian Chambers of Commerce. I do not think those bodies will approve of it and secondly, we do not think that we should get the proportion of representation which we claim.

97. Supposing that proportion is guaranteed to you by reservation, out of the general electorate, would you have any objection? Supposing the present seats (11 out of 15) are guaranteed to you in the joint electorate of both Indian and European commerce, would you have any serious objection? We will approach the Indian commerce separately.—So far as we can at present see, we are satisfied that under that system, we should not necessarily get the representation which we desire. We would like to adhere to separate electorates.

98. Another point of view I should like you to consider. In spite of the fact that it is desirable to avoid what has come to be, a clash between Indian commerce and European commerce—I think that clash has come on account of this separate representation of Indian and European Commerce—would you like to have the European representatives of your community increased so that it may include all the representatives that you now have from the commercial bodies. When you have 16 seats reserved by joint electorate it will include the Indian side also. You will both form one communal constituency.—I do not quite follow the last point.

99. Supposing commercial constituencies are abolished as such and, as a further guarantee to you, the total number of seats represented by the

European community is so increased as to amalgamate the present number of seats from the commercial constituencies, would you have any objection from the Chamber of Commerce point of view?—Yes. That is a question which has been gone into both by the Simon Commission and by the Round Table Conference; and the Round Table Conference specifically recommended that European Commerce should be represented separately.

100. They are only tentative conclusions of the Round Table Conference—That was our claim.

101. But what would be your objection to the suggestion that I have now made?—The objection is that the Chamber of Commerce wishes to have its own representatives to represent its own interest. There are a large number of people on these bodies who are not specially interested in the particular matters affecting the Chamber's interests.

102. Do you realise that doubling of the legislature and increasing your representation to 22 seats would really make the Chamber of Commerce a more important body than it really is?—We represent large interests.

103. You have stated that so far as the Federal Upper Chamber is concerned, you would like to have some seats reserved for the European Chamber of Commerce?—Yes.

104. Have you considered this fact that, with the increase of your numbers in the Bengal Legislative Council, and with the introduction of proportional representation for election to membership on the Federal Legislature, you will have a guarantee that you will be able to send a certain number of representatives to that House?—Not as representing commerce.

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105. You are returning to the Bengal Legislative Council from the Chamber of Commerce and allied commercial organizations, 11 members now and will be sending 22 members in the future. If the Legislative Council members have got the right of exercising the single transferable vote for election of members to the Federal Legislature, you will have a guarantee that your 22 members will be able to see to it that 2 of their ranks are sent to the Upper House. In that view, will you still insist on special representation to the Upper House?—I have not considered that point of view. But, if the Chairman wishes, we will go into that question and submit our view.

106. *The Chairman:* What is the total capital of the industry which is represented by these associations?—It is impossible to give it, Sir, because in many cases there are private firms whose goodwill will come into account. I can, however, give you one or two figures. The Tea Industry represents about £40 millions and the great part of this capital is British. The Indian Tea Association, which represented the industry in North-East India, includes approximately 90 per cent. of the acreage under tea in that area. In Bengal and Assam the total number of labourers employed is 700,000. In the jute mill industry the paid up capital is £20 millions; that is at par; the actual value to-day being something like £47 millions. In this industry British management amounts to approximately 87 per cent. and the mills in the membership of the Indian Jute Mills Association to 92·5 per cent. In the coal mining industry, out of an output in 1931 of 22 million tons, 14 million tons or 65·4 per cent. was raised by members of the Indian Mining Association. Rs. 19 crores is sunk in coal industry and the number of workers employed is 165,000.

107. *Mr. Cooper:* Is it not open to any Indian to join the Tea Association if he so desires?—Yes.

16th Feb. 1932.] Messrs. E. C. Benthall, W. H. Thompson & H. Carey Morgan. [*Continued.*

APPENDIX.

Letter No. 1075—1932, dated the 24th March 1932, from the Secretary, Bengal Chamber of Commerce, Calcutta, to the Secretary, Indian Franchise Committee.

I am directed to refer to the oral evidence which was given, on behalf of the Chamber and the European Association, to the Indian Franchise Committee on 16th February. In the course of the examination, three points were raised with regard to which the Franchise Committee asked that the Chamber should submit a further expression of views, and I am now directed to communicate to you the result of the Chamber's consideration of them.

2. In the first place, it was asked that consideration should be given to the practicability of adopting a hybrid system of voting throughout the province generally, that is to say, a system under which part of the electorate would vote direct, and part through groups. The Joint Committee of the European Association and the Chamber, in submitting their views, rejected the group system, but the suggestion was that there might not be the same objection to applying it to a portion of the electorate. On consideration, the Chamber, in consultation with the European Association representatives on the Joint Committee, has come to the conclusion that the objections which the Joint Committee originally had to the group system applies equally to the hybrid system. They were objections of principle which went to the root of the system, and they hold good whether it is proposed to have the groups universally throughout the province or only for a part of it. The idea that has been suggested is that direct election should be provided for in the case of say four-fifths of the electorate, the group system being applied to the remaining fifth. But if a satisfactory direct basis can be found for four-fifths of the electorate, there does not seem to be any good reason why it cannot be extended to cover the whole field. The Chamber therefore can see no essential difference in principle as between the group system generally and the hybrid system, and they adhere to the objections to the group system which were explained in the original Note submitted to the Committee.

3. In the course of the oral examination of the representatives of the Chamber and the Association, and in connection with the suggested application of the hybrid system, reference was made to the possibility of bringing in classes which would not be brought in by such qualifications as are now in use. There is room for misunderstanding in this regard. Those who are not closely acquainted with the agricultural conditions in Bengal often visualise some such conditions as are almost universal in other parts of the world where, for example, the "farmer", even if he works his full day himself on the land, employs a number of "farm labourers". In England there are, it is understood five or six such "farm-labourers" to each "farm", and before the extended use of machinery in farming, there were—as is shown by the earlier English censuses—as many as fourteen or fifteen. There is no machinery employed in agriculture in Bengal; but the figures are very different from these. According to the 1921 Census there were in Bengal 30,543,577 ordinary cultivators (cultivating their own lands) whereas "farm-servants" were returned as only 19,001 and "field-labourers" 4,389,146—that is to say, only one "farm-labour" to seven "farmers". In each case the figures are workers and dependants of all ages. This means that there is not in Bengal an important class below the "farmers" as is the case in Western countries. The very great majority of the agricultural classes work their own land, and whether they are big or small cultivators, their interest is much the same. By adding a group

system to the direct franchise system, there would not be any new class added to the electorate in Bengal. The farm servants are practically non-existent and the field labourers are commonly migratory and could not be brought into any franchise system by an electoral roll. The point is one which should be kept in mind in considering the question.

4. The second point to be considered relates to the representation of commercial interests in the Central legislature. In paragraph 3 of the Additional Note submitted by them to the Franchise Committee, the Bengal Chamber asked for a continuation, in the Upper House, of the same proportionate direct representation as it now has in the Council of State. The point was put that, with indirect election from the provincial legislature to the Upper House, on the single transferable vote system, the representatives of the chamber and the interests connected with it in the provincial legislature would be able to ensure the return of their appropriate percentage—which would probably represent two members—in the Upper House. In these circumstances the question was asked whether the Chamber would still consider it necessary to press for direct representation in the Upper House. The Chamber has in fact considered the question from the point of view of the Central legislature generally, that is to say, with regard not only to the Upper House but also with regard to the Lower House. In the case of the Upper House it is still considered that the Chamber should have the same proportionate representation as at present. They recognised however that there is not much to choose between direct election and indirect election through the local Council, and on the whole they have come to the conclusion that the latter system is perhaps the more satisfactory. What is of importance is that the existing proportionate representation should be assured; the method adopted of giving effect to it is less material. The Bengal Chamber Committee would add that they are by no means certain that the indirect method of election will be of value to any other Chambers which are represented in the Council of State.

5. In the case of representation in the Lower House of the Central Legislature, the Chamber thinks that, in the event of election being direct, the European community in Bengal should continue to receive a proportion equal to what they now have in the Legislative Assembly, on which they have three seats. In addition, the Committee are very definitely of opinion that the Chamber should be allotted one seat. If, on the other hand, the election in the Lower House is to be indirect, the Chamber would be disposed to accept representation indirectly through the provincial Council. They find some difficulty, however, in coming to definite conclusions on these points as they feel that much must depend on the functions of, and the elective methods adopted in regard to each Chamber, but they submit this expression of views in response to the request that they should do so.

6. The third subject with regard to which the Chamber was invited to express an opinion related to the possibility of working out a system of groups in the jute mills, and similarly on tea gardens and in the mining areas, the nominees of the groups being the electors. Under this system there would not be an electoral roll as such: the groups would be based on the persons actually employed on the particular day when the election of nominees would take place. The Chamber has consulted industrial interests connected with its organisation, and they instruct me to say that they are unable to view the proposal favourably, or to modify the view expressed in paragraph 17 of the Note submitted on behalf of the Joint Committee, namely, that in present circumstances there is no satisfactory alternative to the nomination system for the representation of labour.

Memorandum submitted by Maulvi LATAFAT HUSSAIN, M.L.C.

My opinion is that at least 12½ per cent. of the total population of this province (48 millions) should be enfranchised and that labour should have special electorate composed of members of the registered trade unions. There should be no indirect election through groups of villagers who are sure to be duped by headmen in pay of money-lenders and zamindars and even lawyers. So far as industrial labour is concerned, franchise should be based on monthly wages exceeding Rs. 15 a month.

This will enfranchise more than 200,000 jute millhands besides another 100,000 industrial workers.

Joint Memorandum submitted by the PRESS EMPLOYEES' ASSOCIATION, KANKINARA LABOUR UNION, KANCHRAPARA RAILWAY WORKMEN'S UNION, INDIAN SEAMEN'S UNION, BENGAL MARINERS UNION, INDIAN QUARTERMASTERS' UNION and CLERKS' UNION.

Bengal Federation of the above Trade Unions registered under the Indian Trade Unions Act, advocate direct adult suffrage and in case special interests like Industry, Commerce, etc.. are given special representation in Provincial and Central Legislatures, the Federation demands similar privilege, *viz.*, equal numbers of seats to be reserved in the legislatures to be elected by the members of registered unions.

2. In case adult suffrage is modified and group system introduced for indirect election, groups should be composed of 5 primary voters for each secondary voter. Even on this basis if special electorates for representation of special interests as stated above be conceded labour must have equal number of seats in Provincial and Central Legislatures; and special electorates for the said purpose to be formed of members of registered Trade Unions.

3. If adult suffrage direct or indirect is not introduced immediately and only a percentage of adults are enfranchised on specific qualifications, property or otherwise, the federation demands a special representation of labour on the same basis as the capitalist organisation and a special labour electorate to be formed by the members of registered union for the election of the members to the legislature (Central or Provincial), and such members should in no case be less than those of the capitalist organisation.

CALCUTTA.

Dated 17th February, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE BENGAL PROVINCIAL FRANCHISE COMMITTEE.

Deputation of the Representatives of Labour.

1. Maulvi LATAFAT HOSSAIN, M.L.C.

2. Mr. SINGESWAR P. SHA, Secretary, Labour Union, Kankinara.

3. „ P. GUPTA, General Secretary, Workers' Union, Kanchrapara, 24-Parganas.

4. „ AFTAB ALI, Seamen's Union.

5. „ SATISH CHANDRA SEN, Secretary, Press Employees' Association, Calcutta.

1. *The Chairman:* In what capacity have you come to give evidence?—I am Maulvi Latafat Hossain. I have come to represent labour.

2. You represent an organised trade union?—Yes. The union of Jute Mill Workers.

3. How many members are there in your trade union?—There are between 1,000 and 3,000 members.

4. (Addressing Mr. Aftab Ali) Whom do you represent?—I represent the Seamen's Union, Bengal, the Mariners' Union and the Quartermasters' Union.

5. What is the total number that you represent?—The total number of our three Unions put together is between 24,000 to 25,000.

6. (Addressing Mr. Sha.) Whom do you represent?—I am the representative of the railway labour union. There are 4,000 members in our union.

7. (Addressing Mr. Gupta.) And you?—I am the General Secretary of the Workers' Union, Kanchrapara, 24-Parganas. Kanchrapara is the headquarters of labour.

8. Do you wish to make any statement?—(*Mr. Sha*): We have already submitted a statement.

9. Have you got anything to add to it?—I want to add this: We want 12 seats in the Bengal Legislative Council for labour and 6 seats in the Central Assembly.

10. 12 out of 200?—Yes.

11. You want a special constituency consisting of members of registered trade unions?—Yes.

12. What is the total number of members of registered trade unions to-day?—All together about 90,000.

13. The only people who are to vote are members of trade unions?—Yes, Sir.

17th Feb. 1932.] Maulvi Latafat Hossain, Messrs. Singeswar P. Sha, P. Gupta, Aftab Ali & Satish Chandra Sen. [*Continued.*

14. Will Mr. Roy Chaudhuri, of the Provincial Committee, explain to the witness and elicit the answers?

15. *Mr. Roy Chaudhuri:* How do you propose that the register of membership is to be maintained? How will you prepare the electoral roll?—(*Mr. Sha*): We want to include all persons in wholetime service earning Rs. 10 to Rs. 15 per month.

16. And will they all be members of trade unions?—They will be members of the trade unions or of the workers' union.

17. Now, Mr. Latafat Hossain, you have answered the first question saying that you want 12 seats. Do you want to confine the election to those persons who are members of the trade unions, or workers generally whether they are members or not?—They need not be members of the unions.

18. So you do not want trade unions by themselves to send representatives?—We want that they should send representatives.

19. You have said that members of trade unions are to be constituted into a special electorate and that you want those people who are actually members of trade unions to be voters. What about the other workmen who are not members of trade unions?—They are unregistered, but they are going to support our views and we are here as representatives of those persons as well. There are two kinds of members, registered and unregistered. These unregistered members also belong to the unions.

20. Usually payment of fees entitles persons to membership of a society. But in this case, even if they do not pay, they are considered to be members of trade unions?

21. How would these members of the trade unions elect members to the Legislative Council?—Everybody knows about that, and if the candidate is a labour union representative the unregistered members also will vote for the same man.

22. But how is the election of these 12 members to take place?—The election is to be by the executive members of the trade unions.

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23. Now, Mr. Sen, you are the Secretary of the Trade Union Federation of Bengal, that is, the provincial committee of the All-India Federation?—Yes.

24. In the memorandum of that committee you advocated that the Trade Unions should have the right to elect representatives to the Council. How will you do it?—As suggested by the Whitley Commission, we want to do it this way. All the registered trade unions have the names, etc., of their members in their records. That number in the register will be verified by the officers appointed for this purpose, before each election. After verification of the actual strength of the unions, the unions should be given a certain power of voting according to that strength. It may be laid down as a rule that each union shall have one or two votes according to their strength, say, a thousand or two thousand. The whole number of labour members thus elected will exercise their votes, according to the strength of the union they represent.

17th Feb. 1932.] Maulvi LATAFAT HOSSAIN, Messrs. SINGESWAR P. SHA, P. GUPTA, AFTAB ALI & SATISH CHANDRA SEN. [*Continued.*

25. What you mean is that the members of the trade unions should be the actual voters. Is it so?—My point is that each trade union shall have votes according to its strength of membership.

26. How can you have that? Are you mixing up your system with the group system?—It is somewhat on the lines of the group system.

27. Now we are discussing special electorates. Please explain your point further.—I propose that there should be a special constituency, as in the case of the Bengal Chamber of Commerce; all the members of the Bengal Chamber of Commerce as a whole elect their member. The power of vote is given to the chamber as a whole, but not to the individual members of it.

28. The members of the Chambers of Commerce vote individually and elect their representative.—In this case also, every union may be taken as a unit and it should be given the power to vote.

29. *The Chairman:* You do not want every union to be directly represented. You want that seamen should have so many votes, labour union should have so many and other unions so many each? Is that what you mean?—It may be taken in that way.

30. *Mr. Roy Chaudhuri:* Labour interests will be special interests like the industrial interests. You have a special electorate for the Bengal Chamber of Commerce and the Bengal National Chamber of Commerce. So the members of the trade unions should be given the vote. Is that your position?—Suppose there are six or eight unions; in that case all of them cannot have one member.

31. We are not discussing the number now. We are now discussing the question of the procedure of election. What is your view on that?—In that case the unions representing different industries may be given the power of voting. Each industry may be grouped together separately. Suppose there are 40 unions representing the jute industry. All these unions may be grouped together. So also the textile unions, the engineering unions, and so on. In this way there may be separate groups and representatives may be elected by all the unions.

32. *The Chairman:* May I ask you this question? Is this representation which you propose for the trade unions in addition to the representation which the individual labourer may have in so far as he may have a vote in the general constituency?—I say that in each case the unions should be given the power to vote.

33. Do you suggest that in addition to the votes which the labour representatives of the trade union may have already?—Yes.

34. *Mr. Roy Chaudhuri:* You have just now said that the right to elect its own representative should be given to the trade union as a special electorate, is it not?—Yes.

35. There is only one Trade Union for the press employees, and you do not expect that that one union should get the vote?—My union represents 30 or 40 thousand. We want to have votes according to the number of members of the trade unions.

36. *The Chairman:* I may make a suggestion. The Secretary of the Provincial Committee may talk to these gentlemen separately and obtain definite information on details, and let us have a statement of it afterwards. That will be better. Now, I want to ask another question. You know it has been suggested that the population which cannot get a vote by reason of its property qualification should be arranged into groups of 20 each to elect a *mukhi*. If that proposal is adopted and if all labour is grouped into primary groups and each of the groups asked to elect one of its own number, it has been alleged that they will elect sardars who will be hardly

17th Feb. 1932.] Maulvi LATAFAT HOSSAIN, Messrs. SINGESWAR P. SHA, P. GUPTA, AFTAB ALI & SATISH CHANDRA SEN. [*Continued.*

representative of them. Is it true or not? What is your view?—It is true, because if they are grouped together for purposes of election in batches of 20, the sardars or some interested people or manipulators may have a chance of being elected, rather than the actual persons who can truly represent labour.

37. Now supposing you group them by taking the streets in which they live, house after house, even then will a sardar be elected for each group? I shall explain. Let us say that on the average there are two adults in a house, and you group ten houses together street by street. Then would there be a sardar in each one of these groups?—What actually happens in that case is that a sardar may have a chance of coming within that street or small group, and it is likely that he may come up. It is a question of manipulation by means of influence.

38. What is the proportion of sardars to members? Is it one sardar for a hundred or fifty?—The number of sardars may be less, but they have their own men so that if the sardar has the intention of being elected he will ask his men to use their influence, and he will get in.

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39. *Major Milner:* Mr. Sen, the matter we are discussing now is the method by which organised labour should be represented in the legislature. Supposing you are given one member to represent organised labour and it is also understood that trade unions should consult together and elect that member, it seems to me that there are at least two ways in which it might be done. Please tell us which you would favour. In the first place, the executives of all the unions may meet together and select one man to represent the whole of the trade unions in the legislature. Alternatively, again assuming that there is only one representative to be elected, you may have a conference of members of the unions and they might give their votes according to the membership of their trade unions. For instance, if you represent 20,000 you might have 20,000 votes and so on. In that way, you may select members to represent your interests. Are you in a position to say which of these two methods you would adopt, either the executives themselves selecting, or a conference where the selection would be decided by votes?—I am in favour of the secretary or any other person elected by the union voting for the representatives.

40. You are therefore in favour of the members of the union authorising the secretary, and all these people electing one representative?—I may instance one case. In the matter of selecting representatives for the Geneva Conference, generally the unions are sending in names. The procedure adopted is that all the unions individually consult their members and ask the secretary or another member to send the name of the approved representative to the All-India Federation.

41. At present when you are selecting delegates for the Geneva Conference, your members authorise the secretary to vote for a certain person?—Yes.

42. In the same way you say you will have no difficulty in selecting somebody to represent trade unions?—In some cases the secretary is given power.

43. That is, he receives either a blank cheque to name any person, or he receives a mandate to select one particular person, is it not so?—Yes.

44. Supposing you have more than one seat in the legislature, would it be possible for you to agree amongst yourselves? One group of unions may select one particular person, and another group may select another. Would it be possible for you to agree in that way?—It would be possible.

17th Feb. 1932.] Maulvi LATAFAT HOSSAIN, Messrs. SINGESWAR P. SHA, P. GUPTA, AFTAB ALI & SATISH CHANDRA SEN. [*Continued.*

45. Assuming that special representation is granted to you under some such conditions as laid down by the Whitley Commission, *i.e.*, that you should be registered, that you should be properly constituted and properly representative of the interests of your members, and so on, would you be quite agreeable to any reasonable conditions of that sort?—Yes.

46. It has been suggested that your unions are not representative of the whole of the working people, because your membership is only a small proportion of those engaged in the particular industry. Do you say that you are or are not representative of every one engaged in your particular industry? For instance, what is your industry?—The union I represent is composed of Press employees, that is, compositors, binders and so on.

47. I do not know what proportion your membership bears to the whole of the people engaged in that industry, will you please tell me?—In Calcutta there are ten thousand press employees. But my union has on its rolls about 3,000.

48. So you represent about a third of them?—Yes.

49. Do you say that although you have only one-third of the people employed in that industry on your rolls, you are representative of all?—Yes. I am representative in this way. Though my union does not contain all the employees engaged in this particular industry, still they represent all the people. For, whenever there is any important question regarding their interest, all the members or at least those members who want to have a certain opinion expressed on that question, come and help us. In the Government of India Press in Calcutta there are about 600 employees but only 300 of them are members of the union. But whenever any important question affecting the interests of the workers there comes up, all of them support us.

50. So, as in all countries, there are always a number of people engaged in an industry who are prepared to get the benefits of the union without paying the proper subscription, is it not so?—Yes.

51. Two suggestions have been made. One is that if all the workers in a factory are put into groups, the sardars, by their influence would be likely to get elected. Is that so?—Yes. My experience in that case is this. If the small groups are given power to elect a certain person each, and there is no ballot system, the person interested in getting himself elected can see that he succeeds, because he will have all the people under his thumb. The reason is the absence of the ballot system. Although the people may not like the sardar, still as they are under his thumb, they will be forced to elect him.

52. I am sure the Committee appreciate your point. Now do the officials of the trade unions make a special study of the subject, and do you claim to have special knowledge of your interests?—Yes.

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53. *The Chairman:* Now I would like to ask one other question. I understand that under the constitution as it stands to-day and as it is likely to be in future, labour matters will be primarily the concern of the Central Parliament rather than of the Provincial Parliament. Now have you got any view as to which of the two legislatures, the Provincial or the Central, you would like labour to be represented in?—I am of opinion that both the legislatures should be given the power to deal with questions relating to labour.

54. You have said that if elections take place by means of small groups, sardars will be elected. Supposing there was the ballot system, so that secrecy could be maintained, would you approve of that?—Even under the ballot system everbody knows. It is my experience. That is the difficulty.

17th Feb. 1932.] Maulvi LATAFAT HOSSAIN, Messrs. SINGESWAR P. SHA, P. GUPTA, AFTAB ALI & SATISH CHANDRA SEN. [*Continued.*

There is no question of secrecy. Everybody knows who is the person one is voting for.

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55. *The Chairman* (to Mr. Aftab Ali): You have heard the discussion. Do you agree with the views expressed by the other gentlemen, or have you to say anything additional?—Practically the views of the union which I represent are almost opposite to the views just placed before you. Firstly, my union, the workers, would request this Committee to recommend adult franchise. My union will also, as an alternative, only for a limited period of say 10 years, agree to the whole population of the country being formed into groups and exercising franchise through secondary voters, as has been referred to in the questionnaire in section I. My friends have talked just now of the sardars. My union holds that though the sardars can exercise power or influence, they are better than outside politicians, briefless lawyers, who have nothing to do with the unions. They may come in and get control of the union and do the same thing and in that case I am personally of opinion that they will prove more dangerous than the sardars who are at least workman-like.

56. Do you want any special representation?—Not at all. We want all the people to be enfranchised.

57. Adult franchise?—Yes.

58. Have you given any consideration to the method of getting some degree of adult franchise through the group system?—We have given an alternative suggestion, that all the people might be grouped together, for a certain number of years—we have suggested 10 years—and after that adult suffrage might be brought in. During that time we can adapt ourselves to the secondary method. That is to say, all the people will be formed into groups and the groups will select one man each and they will form the electors of the country. We have suggested that the group should consist of 5 because we see that the sub-committee of the Round Table Conference suggested that not less than 10 per cent. and not more than 25 per cent. of the people should be enfranchised. It has also been suggested that there should be a group of 20. We suggest that instead of 20 it should be 5. If 5 are taken in each group that will give the maximum prescribed, that is to say, 25 per cent.

59. Have you got anything more to add?—We have also a few observations to make as regards the Upper Chamber. We do not want a second chamber in the Federal Legislature.

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60. *Major Milner:* Do you want representation in the Central or Provincial Council or both?—We ask for no special representation for seamen at all. We are asking for adult suffrage and if there is to be adult suffrage for the whole lot of the people, we come in.

61. The Committee do appreciate, I am sure, that you are asking for adult suffrage. But, suppose for a number of reasons it was not practicable or possible, and the whole of the labour element might not be represented. Would you then agree to some form of indirect election?—If it is not practicable just now, all the adults may be grouped together as I said before. We are not making any difference between a millionaire and a workman here. We do not want the possession of certain property or the payment of a tax to be the qualification for voting. We are all human beings.

62. Assuming adult suffrage is impracticable—you want a fair field and no favour—and assuming there are favours given to other interests—the capitalist interests—would you also ask for special representation?—If

17th Feb. 1932.] Maulvi LATAFAT HOSSAIN, Messrs. SINGESWAR P. SHA, P. GUPTA, AFTAB ALI & SATISH CHANDRA SEN. [*Concluded.*

special favours are given to capitalist interests we will have to wait for some years till we are better organised.

63. If special representation is granted to capital, you desire that special representation should be granted to labour as well?—We want the whole or nothing. We must keep ourselves free. Conditions are changing.

64. *Mr. Roy Chaudhuri:* Your union was affiliated to the Trade Union Congress?—It was.

65. Do you remember that in 1926 the Trade Union Congress passed a resolution claiming labour representation in the Upper House as well as in the Lower House of the provincial as well as the central Legislature? It demanded special representation and that was unanimously adopted?—Perhaps we did.

66. They demanded 12 seats in the provincial legislature through a special electorate and 6 seats in the Assembly through a special electorate on the ground probably that the Chambers of Commerce and other organizations were represented.—1926 has gone, we are now in 1932.

67. In 1926, the Trade Union Congress, which is an organization of all labour in India, demanded this thing and the resolution was unanimously adopted with the fullest knowledge and consent of each affiliated union.—I understand that. We in the labour movement always make a demand to the extent we can get. In 1926 perhaps we thought that it was enough. Five or six years have passed from 1926 to 1932 and now we find that we can ask for more.

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Memorandum submitted by the ALL-BENGAL NAMASUDRA ASSOCIATION.

1. (*a*) By lowering the franchise qualifications to such extent as would include any one who pays any kind of taxes including cesses, union rates, municipal taxes, etc., not less than half a rupee per year or who pays as rent at least Rs. 5 per year, in the Electoral roll.

(*b*) Yes, such an electorate will be quite capable of casting an intelligent vote if they can be freed from the undue influence of the zamindars, money-lenders, officials and religious instructors.

(*c*) Yes, it would be administratively possible.

(*e*) Yes, it would be practicable and desirable to enlarge the electoral roll still further. This can be done by increasing the number of members of the Legislature and by doing away with the minimum figure of taxation so that any one who pays any kind of taxes or rents should be included in the electoral roll or giving the right of voting to every adult person.

(*f*) No, we do not think that group voting can be feasible and advantageous in any area. We say this on the authority of our intimate acquaintance with the rural areas of Jessore, Khulna, Nadia, Faridpur, Dacca, Bakerganj and Tippera districts.

(*g*) Does not arise.

2. (*a*) Yes, there are marked disparities. This can be rectified if franchise qualifications can be so lowered as to include in the electoral roll any one who would pay any tax not less than half a rupee or rent not less than Rs. 5 per year.

(*b*) Yes, we are quite in agreement with this suggestion. If franchise qualifications can be lowered to the level suggested above the result can be achieved.

Memorandum by the ALL-BENGAL NAMASUDRA ASSOCIATION. [*Concluded.*

(*c*) Yes, the possession of property of some kind is surely a good test for fitness for the franchise. But the existing property qualifications are too high for the purpose. Anyone possessing property for which he is to pay tax or rent to the amount suggested above should be given the right of voting.

(*d*) No, we are against introducing educational qualification.

(*e*) We have no objection of retaining the existing military service qualification and extending this so as to include service in the Auxiliary Force.

3. (*a*) Considering the position and circumstances of women in Indian society and their entire dependence on men we do not think it advisable, nor do we think that any good purpose can be served admitting women to the suffrage based on special qualification apart from the qualifications provided for men. We favour the increase in women's electorate only to such extent as would be possible on the same terms as men.

(*b*) The system of group representation is also equally bad here.

4. The Depressed Classes will never be able, through such general extension of the franchise as we favour, to secure representatives of their own choice unless and until a separate electorate is provided for them. The system of group voting is also entirely unfeasible for them.

5. In all cases separate electorate is necessary for labour also.

6. (*a*) Though we like direct representation, the suggestion of the F. S. Committee in this matter may be accepted provided the members belonging to a particular community are allowed to elect their own delegates.

(*b*) In our opinion the qualification of voters for the Federal Legislature should be a bit higher than the Provincial Legislatures. The existing franchise qualifications for Provincial Councils may be provided for the voters of the Federal Legislatures. Besides the members of the Municipalities, District Boards, Local Boards, Union Boards and recognised societies should be given the right of voting.

(*c*) In case of the Lower Chamber of the Federal Legislature we are opposed to indirect elections even in rural areas. The constituencies must be Territorial and voters more qualified than the Provincial electors. We suggest the above qualifications for the Lower Chamber of the Federal Legislature.

7. Qualifications for voters of the Federal Legislature should be the same for all women, Labour, Depressed Classes and others. There must be separate electorate for the Depressed Classes.

The All-Bengal Namasudra Association, representing the Namasudra Community, the most prominent of the Depressed Classes of Bengal, will be highly obliged if they are allowed to adduce oral evidence before the Franchise Committee in order to explain clearly the points which have not been explained or left unanswered here.

Mr. RASIK LAL BISWAS, Representing the All-Bengal Namasudra Association.

1. *The Chairman:* You were probably present during our discussion with the depressed classes the other day?—Yes.

2. Could you give us your definition of the depressed classes in Bengal? It is very difficult to give a comprehensive definition. Those who are not admitted into the temples and not admitted into the public eating houses maintained by orthodox Hindus and those by whose touch water is polluted may be classed as the depressed classes.

3. What do you mean by pollution? Do you mean refusal to allow them to draw water at the well or do you mean drinking water at one's hands?—In any form. If we touch water, then that water will not be used by the caste Hindus.

4. Does it include the Namasudras? Are they permitted to draw water from the same well as the Hindus?—The 'water' question is not very acute, because this is a very 'watery' province. But the Namasudras and the other depressed class people are now allowed to take water from public tanks. They are not allowed to take water from public *ghats* particularly the *ghats* from which the caste Hindus take their water. The caste Hindus generally use wells different from those from which the depressed classes are allowed to take water.

5. In a village where there is only one well, they all draw water from the same well?—There can be scarcely such a case because the caste Hindus are generally well-to-do people and they maintain for themselves tanks and wells, if necessary. In places where Muhammadans are allowed the depressed classes are also allowed, but in Hindu villages where the caste Hindus predominate the question is different. There the depressed classes have to depend entirely on the mercy of the caste Hindus.

6. What is the number of the Namasudras that you represent?—More than two millions.

7. Are you denied admission to the schools?—Yes, in many cases we are denied. But it is not so in the case of schools which receive Government aid. There they are not refused.

8. *Diwan Bahadur Ramaswami Mudaliyar:* In the present Legislative Council three Namasudra gentlemen have been elected from the non-Muhammadan constituencies.—Yes.

9. In addition to that, the Government has nominated one Namasudra gentleman?—The Government has nominated two. But as regards the elected M.L.C.'s I will say this, that the elections were boycotted by the caste Hindus. Because the Congress boycotted the election there was no candidate to contest in those constituencies and the Namasudras got elected. I should not be surprised to find that if there was a contest all the Namasudras would be defeated. The situation was then quite different.

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10. As regards the disqualification with regard to touching water, does that handicap extend to public wells?—Not to all.

11. I am referring to public wells only.—The community do not take water from public wells.

12. In an orthodox caste Hindu's house there would be a well, but he would not permit you to draw water from that well?—Never.

13. It is his own private property and in his own compound?—Yes.

14. Your community is a fairly well educated community?—To some extent it is.

15. There are a number of Advocates of your community practising at the Bar, some of whom are very successful?—May be.

16. A number of your men are on District Boards and Municipalities by election from your community?—There is one in District Board.

17. Have you any idea how many Namasudras are enfranchised on the present basis?—Very few. It may be three or four lakhs out of the total electoral roll.

18. And if the franchise is still further lowered, a very considerable percentage of voters will be Namasudras?—Yes.

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19. *Dr. Ambedkar:* Have you seen the census of 1921 which deals with the depressed classes?—Yes.

20. Is it a fact that this census of the depressed classes was taken specially to determine those communities which were regarded as low in the Hindu social scale, and which, in the opinion of the Government, in the light of what was stated in the Montagu-Chelmsford Report, needed political representation?—The Census Report says that.

21. There 39 castes are enumerated?—Yes.

22. And the total is given as 11½ millions?—Yes.

23. That report also says that it is not exhaustive, and that a community, which numbers less than fifty thousand, is omitted?—Yes.

24. There might be some castes which are outside the 39 listed in the census?—Yes.

25. Regarding the question of water, it is not a fact that in this province there are no such mixed villages as we find in other areas like Bombay, and that certain villages are largely occupied by the depressed classes themselves, and even the caste Hindus each have separate wells in their houses?—Yes, the caste Hindus live separately from the depresssd classes.

26. Is it not a fact that at certain colleges it is found difficult to get admission into the hostels established for students?—Yes, that is why Government has established separate hostels for our boys.

27. And in fact special instructions had to be issued by the Government for this purpose?—Yes.

28. Regarding the question whether the depressed classes can get elected through the general electorate without any special provision in the present Legislative Council, there are altogether 6 elected depressed class members. I am excluding the nominated members. Is that correct?—Yes.

29. Out of those one was contested and five uncontested. The contested one was a Congress man, namely a sweeper?—Yes.

30. That was intended to discredit the Council in 1929?—That they proclaimed.

31. In this province there are three constituencies which have always been contested by the depressed classes?—Yes.

32. Take the case of South Faridpur. The Muhammadans are 65 per cent., the depressed classes 25 per cent., and the caste Hindus 10 per cent.?—Not more than that.

33. In this constituency the Muhammadans have separate representation?—Yes.

34. So that in Faridpur the contest is between the caste Hindus and the depressed classes, and the depressed classes have always been defeated from 1921 onwards?—Yes, from 1921 to 1929.

35. Take, for instance, the Khulna constituency. There the Muhammadan population is 50 per cent., and there the Muhammadans have separate seats for themselves?—Yes.

36. The depressed classes have 35 and the caste Hindus 15. Notwithstanding their numerical superiority, in this constituency also no depressed class man has been elected, and the seat has gone to the minority of the caste Hindus?—Yes.

37. Take South Backergunge. There the Muhammadan population is 75 per cent. They have a separate seat for themselves. The depressed classes population is 15 per cent.?—Perhaps more.

38. The contest is always between the caste Hindus and the depressed classes, and the latter never succeed in getting a seat?—Once one of our members was elected. That was due to the Swaraj party's boycott of the Council. There was a division among the caste Hindus. After that our people have always been defeated.

39. Will you submit to the Committee a list of the communities which you think are depressed classes on the test we have stated?—I have prepared a list. Moreover the list given by the Census Report is more or less correct and has not been contested.

40. This figure of 11½ millions was accepted by the Simon Commission?—Yes.

41. By the Indian Central Committee also. There was no member of the depressed classes on that committee. That figure was not challenged by the Provincial Simon Committee?—No.

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42. *Mrs. Subbarayan:* Have you any women members in your association?—Very few.

43. How many have you got?—May be 100.

44. Have they expressed any views on the memorandum?—No.

45. So that this memorandum represents the views entirely of men?—Yes.

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46. Yet in answer to question 3 (*a*) you say:

"Considering the position and circumstances of women in the Indian society and their entire dependence on men, we do not think it advisable, nor do we think that any good purpose can be served by, admitting women to the suffrage based on special qualification apart from the qualifications provided for men."

You do not approve of giving franchise and adequate representation to women because of their dependence on men?—Because the females of our community have not yet learnt to express themselves independently of their relations, we do not think it is any good enfranchising them. We wish that they should be enfranchised, but we do not like special provisions for them for the present.

47. But franchise and representation will help them as it will anybody else to raise their status and improve their condition?—Their caste is not different from that of their male relations, while our caste is entirely different from that of the caste Hindus, and therein lies the difference.

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48. *Mr. Mallick:* Are the depressed class boys excluded from the primary schools?—Yes, they are excluded.

49. Can you mention the names of some such schools?—I belong to Jessore. In some schools there, a distinction is made.

50. Please name one school?—In the Nollanankala school. This is maintained by caste Hindus.

51. Is there any other school?—I do not know their names.

52. In some of the primary schools, you said that the boys of the depressed classes are made to sit outside?—Yes.

53. Where?—Everywhere. Even in Calcutta city it is done. In Mettur this is done.

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54. *Mr. Chatterjee:* One great outstanding difference between what you call depressed classes and the non-depressed classes is that there is more wealth and more education in the latter class than in the former?—Not only that. There are social bars. That is our difficulty. Wealth and education we can have, but we cannot have social status. You will never allow your daughters and nieces to be married to Namasudras.

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55. Would you agree with me that, under the inspiration of British enlightenment, we in Bengal, like the people in the other provinces, are

building up a new class of people known as the educated class?—There are people who are being educated.

56. In that educated class, would you include me as much as Mr. Mano Mohan Das?—For your education, we may include you both.

57. Is it not also a fact that the only claim to distinction the Brahman had in the pre-British period was that he was a man of education?—That is not the only one.

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58. *The Hon'ble Khwaja Nazim-ud-Din:* Is it not a fact that the depressed classes, as far as their interests are concerned, differ very much from the caste Hindus?—Certainly.

59. And, in spite of British rule, which makes no distinction between man and man, you people have not been able to advance politically or socially, or economically as you would have liked?—Yes. We have not been able to advance sufficiently.

60. And if you do not get representation or the right to vote and send your representatives, your interests may suffer in the legislative council?—We are convinced that our interests will certainly suffer.

Memorandum submitted by Rai Sahib REBATI MOHAN SARKAR, M.L.C., Member, District Board, Dacca.

1. (*a*) Payment of any tax—either as Chowkidari Tax or as Road and Public Works Cess, Municipal Tax, or paying of any rent to the amount of at least Rs. 5 is to be the minimum basis of franchise.

(*b*) We think that such an electorate will be able to exercise their vote—if they can be free from the influence of the money-lenders, landlords and religious interference.

(*c*) Would be manageable—but the sizes of the constituencies would have to be considerably reduced and the numbers of the members of the Council would consequently have to be increased.

(*e*) See answer to (*c*).

(*f*) So far as we are aware and as far as we find a group system of voting will not be feasible for this Province.

(*g*) Does not arise.

2. (*a*) Yes, there is this disparity and this can be removed by enfranchising the residents of the town as far as possible and for this the voting qualification should be considerably reduced.

(*b*) Yes, we are; measures should be introduced by which larger number of the people of various communities may be entitled to vote.

(*c*) In the absence of any better unit of qualification, possession of property of some kind from which some cess or tax has to be paid is a suitable test of fitness.

The existing qualification is suitable in principle; only modification desired is that it should be reduced.

(*d*) Educational qualification may be introduced independently of property but that the said qualification should be the passing of any public examination from the highest to the lowest.

(*e*) The Auxiliary and Territorial Force may be included.

3. We are against the women suffrage; for under the present condition of Indian society, women have no independent position apart from their male earning relations. Secondly, women of any class in rural areas are

still loath to come out publicly to exercise their political rights; and thirdly in town areas it has already introduced undesirable elements in the shape of public women, etc.

4. Within the general extension of the Franchise the Depressed Classes will not be abe to secure their own true representation through their proper representatives as the past experience clearly shows. The only possible solution to get their true representation is by a Separate Electorate of their own members forming into separate groups in different areas in proportion to their number. The several communities coming under the Depressed Class in Bengal as mentioned in the Census Report of 1921 may be taken as the Electorate for this purpose.

5. Labour should be given separate representation and electorate should be formed for them in areas where they can be found either in industrial or plantation areas, by which they can send their own true representatives. Their basis should be one of adult system.

6. Election to the Federal Legislature must be based on direct system of representation in order that the electors may get into touch with their representatives and may keep them under control.

7. Regarding women we have made our general observation. Regarding the Depressed Classes and Labour, they should have definite number of representatives to be elected from amongst their separate electorate.

Memorandum submitted by Babu AMULYADHAN ROY, B.Sc., M.L.C., President, Jessore District Namasudra Association.

I.—PROVINCIAL LEGISLATURES.

1. Extension of the Franchise.

Possession of certain property qualification, payment of land Revenue, rent, cess, union, or other local rates, payment of municipal taxes and of income-tax. Existing university graduateship qualification should be the general basis of enfranchisement. All who pay union rate down to eight annas and all who pay cess down to four annas should have a right to vote.

(*b*) In India where illiteracy is the rule and literacy is the exception I do not think that such an electorate will be capable of casting an intelligent vote as past experience shows. However frequent polls and union board elections have awakened the illiterate voters and they have begun to take greater interest now than before.

(*c*) Yes; such an electorate would be manageable; but the constituencies should be made smaller in area.

(*d*) There is no other alternative but to adopt the aforesaid qualifications as the basis of enfranchisement.

2. Franchise qualification.

(*a*) There is disparity in the operation of the franchise qualifications in urban as compared with rural areas. The existing qualification to a right of vote should be maintained in urban areas whereas the same should be lowered as suggested above in rural areas.

(*b*) I am not only in entire agreement with the suggestion made in (B) but I fully advocate that each community should be given a voting strength proportionate to its numbers. All who pay union rate down to eight annas and cess down to four annas should have a right to vote.

Memorandum by Babu AMULYADHAN ROY. [*Concluded.*

(*c*) In an agricultural country like India where almost all the people are illiterates who do not understand the full implications of enfranchisement or the constitutional functions of their representatives, possession of property of some kind cannot but be a suitable test of fitness for the franchise.

(*d*) I am not entirely in favour of introducing a qualification based on education independently of property in view of the fact that the adoption of educational qualifications by itself as a basis of the franchise will give predominance and monopoly in the vote to a certain class of people. Nor do I agree with the Statutory Commission's report that the attainment of the fifth class education should be its basis. In case education independently of property is to be regarded as a test of franchise then I will favour ordinary reading and writing as in the case of the census.

(*e*) I like the idea of retaining the existing military service qualification and extending it so as to include service in the auxiliary and territorial forces.

3. WOMEN'S SUFFRAGE.

(*a*) I am in favour of increasing the women's electorates in the way suggested in principle; but having regard to the peculiar position of Indian womanhood who are uneducated and live under the Purdah System, immediate enfranchisement to this extent is not only premature but cannot be justified and our women representatives will represent their sisters in the same way as the Indian National Congress represents the people of the country and the Hindu Mahasabha represents the Hindus. For the present women should be enfranchised on the same terms as men and ordinary reading and writing as in the case of the census will apply to both men and women.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The depressed classes are not at all likely to secure representatives of their own choice in the general electorate even if the franchise is extended as far as practicable. I am in favour of separate electorates with seats allocated on the basis of population. I fully support and approve of the policy pursued by Dr. Ambedkar and Rao Bahadur Srinibhasan in both the Round Table Conferences; but if separate electorate is not at all possible there must be reservation of seats for the depressed classes in the non-Muhammadan constituencies and the proportion of the number of such reserved seats in all the Indian general constituencies should at least be three quarters of the proportion of the depressed class population to the total population of the electoral area of the Province as has been recommended by the Indian Statutory Commission.

Memorandum submitted by Babu SARAT CHANDRA BAL, M.L.C., on behalf of the Gopalganj Namasudra Unnati Bedhayini Association.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) In order to extend the existing franchise for the provincial Legislature it is suggested that franchise should be extended to—

(1) Persons paying Re. 1 as union tax or

(2) Persons each paying jointly or separately Rs. 5 as rent or revenue annually.

(*b*) & (*c*) Yes.

(*e*) As suggested in reply to (*a*).

(*f*) The suggestion is laudable and would be feasible and practicable in South Faridpur Constituency.

(*g*) The representatives of adults not entitled to direct vote should vote with the direct voters.

THE FRANCHISE QUALIFICATIONS.

(*a*) Yes. Means suggested in reply to question 1 (*a*) & (*f*) Extension of the Franchise.

(*b*) Communal electorates with voting strength proportionate to its numbers are urgently needed and it should be encouraged and such franchise system is practicable. Direct voting and group voting should be introduced.

(*c*) Property qualification is one of the tests. Modification suggested in reply to question 1 (*a*) Extension of the Franchise.

(*d*) Yes. Middle English, Middle Madrassa, passed adults.

3. WOMEN'S SUFFRAGE.

Women should be admitted on the same terms as men. For the present there is no necessity for increase in women's electorate.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

Mere extension of franchise will not enable the depressed classes to secure representation of their own choice. Without reservation of seats proportionate to its numbers with separate electorate the Depressed Classes will ever remain oppressed. The noble mission of British rule to save these classes will ever remain unachieved and it will in the long run prove a great blunder if the depressed class problem is not settled to the advantage of the loyal millions. The group system of representation to the depressed classes may be introduced in Bengal.

5. REPRESENTATION OF LABOUR.

Group system of representation should be introduced. Only group electors should be qualified to stand as candidates for such constituencies.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BENGAL IS INADEQUATE.

(*a*) Yes. Provided seats with weightage are reserved for the depressed classes.

(*b*) Franchise qualification ought not to be different. If it is made otherwise the depressed classes will be oppressed by the upper classes and the government will be in great trouble.

(*c*) Suggestions on this question will be sent within a short time.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

Reservation of seats with weightage for the Depressed Classes in the Federal Legislature is urgently necessary.

8. GENERAL.

Orakandi, Gopinathpur and Boultali in P. S. Gopalganj (Faridpur) and Malikhali P. S. Nazirpur (Barisal) will be suitable villages where the committee may meet thousands of loyal Depressed Class men.

Deputation of the Depressed Class Representatives in the Bengal Legislative Council.

Rai Sahib REBATI MOHAN SARKAR, M.L.C.,
Mr. LALIT KUMAR BARUA, M.L.C.,
Mr. AMULYADHAN ROY, M.L.C.,
Mr. SARAT CHANDRA BAL, M.L.C.

1. *The Chairman:* Gentlemen, do you wish to add anything to what you have stated in your memorandum?—We will not be able to add anything to it.

2. *Dr. Ambedkar:* Very recently, a resolution was moved in the Bengal Legislative Council suggesting that a certain number of posts in the services should be reserved for the depressed classes?—Yes.

3. What was the fate of that resolution?—It was lost.

4. Mr. Roy Chaudhuri: In the Government memorandum it is stated that one of the members, in connection with the general discussion of the budget, stated thus:

"So far as sweet words are concerned, I admit that from the highest rulers of the province to the so-called leagues, every one shows sympathy with the condition of the backward classes. But when the time for practical action comes, all sympathy evaporates."

Do you agree with this view?—Yes.

5. You remember when the Education Act was passed?—Yes.

6. What was the attitude taken with regard to that Bill by the Hindus as a whole?—Most defiant attitude.

7. That Bill was intended to remove the ignorance of the masses which still prevails?—Yes.

8. *Mr. Bose:* It has been suggested in the previous answers that there are public wells and public temples in this country to which members of the depressed classes are not admitted?—Yes. In some parts of the province they are not admitted.

9. Do you know of any such temple or place where admission is denied?—Yes.

10. Are there any public temples like the temple at Kalighat into which depressed class members are not admitted?—Yes, there are.

11. Will you kindly give me a name?—My friend suggested an instance.

12. Suggestion is another thing. Do you know of any village where the members of the depressed classes are not allowed to draw water from a public well?

13. *The Chairman:* Can you give the name of a village?—There are no such wells or tanks in our village as in each village each family is living separately. Therefore one family scarcely comes in contact with another family. Among the upper castes if their food is touched by a depressed class man it is polluted. It takes another form altogether.

14. The question is whether there is any village where the depressed classes are prohibited from taking water from public wells and tanks?—In Ferozpore village there is a tank from which depressed class people are not allowed to take water.

17th Feb. 1932.] Rai Sahib Rebati Mohan Sarkar, Messrs. Lalit Kumar Bal, Amulyadhan Roy & Sarat Chandra Bal. [*Concluded.*

15. Do you know of any public temple in which Namasudras are not allowed?—In Bhurisal there is a temple like that. And there is another at Kalibhari. A depressed class man was driven out of a public temple there.

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16. *Maulvi Tamizuddin Khan:* Can you tell us whether Namasudras and other depressed class members are admitted into institutions called *Tols*? —They are not admitted.

17. Even though these institutions are receiving grants from the Government?—Yes. They are not allowed even then.

18. *The Chairman:* What are these *Tols*?

Maulvi Tamizuddin Khan: They are Sanskrit schools.

19. Is your community admitted to the Sanskrit College at Calcutta?—They are denied admission to the Vidyasagar College. In the Vidyasagar College our students are put in a very difficult position. A student may be admitted in the college, but he will not find any place to live in. He will not be admitted into the hostel.

Memorandum submitted by the BRITISH INDIAN ASSOCIATION.

1. The term Franchise is defined by Blackstone as a "royal privilege or branch of the Crown's prerogative subsisting in the hands of a subject". The right to vote is now called the Franchise. In modern political science, franchise is acclaimed as the birth-right of every citizen. But essentially and primarily, franchise was given to the subject to serve as a means of political education. It is appreciated now as a conscious instrument of political power. This objective can only be achieved when the franchise is extended, stage by stage, in response to the demands from the unenfranchised. The extension of the franchise can only find justification in the desire of the voteless to avail of the vote.

2. The chief defect of the existing franchise in India is that one section of the community finds greater favour in the system than another; the propertied class won and the poor and the women suffered. The Government of India Act under the existing arrangement has enfranchised nearly 6½ millions of people. This works out at about 3 per cent. of the population, and 10 per cent. of the adult male population of the country.

3. The existing franchise is akin to the Representation of the People Act of 1867 in England which introduced the Household and the Lodger Franchise. Our franchise is based upon residence and possession of certain property qualifications. Thus the poor are neglected. India is the land of the poor, especially in the rural areas. There the population is out of all proportion to the urban population. Yet the villagers are at a greater disadvantage than towns-people. In the presidency of Bengal, the restricted franchise has prejudicially affected the Muhammadans, because as a community they are less fortunate than their Hindu brothers. In the roll of rural electors for the Legislative Council, the Muhammadans are only 48·8 per cent., although they form not less than 55·3 per cent. of the rural population of Bengal. When we examine the roll of electors to the Legislative Council and the Union Boards, we find that in the former case, payment of chaukidari tax of Rs. 2 prejudicially affects the Muhammadan community whereas in the latter case where the qualification is reduced to Re. 1, the Muhammadan voters are 57·7 per cent. approximating their

population ratio. The problem therefore of broadening the franchise is to be tackled very cautiously and carefully. If it is intended to broaden the enfranchised population, the prime necessity should be to relax the property qualification. It must be understood that the word "property" is not to be used strictly, but to include income, or payment of tax or rent.

4. There has been a general desire that the present electorate should be increased. There must in any event be a limit to extension for other than administrative reasons. Administrative difficulties cannot be put forward as any valid argument against political advance. On the other hand, it may be effectively contended that limitless extension will defeat the purpose, the purpose being political and popular education. History always sets in store a nemesis for revolutionary changes.

5. The existing franchise system was based not on principle but on expediency. It was the deliberate policy of Lord Southborough's Franchise Committee to enfranchise a substantially higher proportion of the urban than of the rural population—"a result which we believe to be justified by the higher standard of wealth and intelligence in towns". The representation was not based on number, because the larger communities had no corresponding strength in the electoral roll. Nor was it based on wealth because property qualification included rent; nor on education because many illiterates were enfranchised to the exclusion of the literates. Clearly put the system may be said to have broken the principle of aristocracy without admitting that of democracy. It may sound paradoxical but it did no more than patch up a system which was outworn or darn one which was defective.

6. No representative institution has started with an unwieldy electorate. The Reform Act of 1832 in England enfranchised only a little more than one million of people out of a population of 25 millions; the Reform Act of 1867 enfranchised a little more than 2½ millions out of a population of 30 millions; the Reforms Act of 1885 enfranchised a little more than 5 millions out of a population of 30 millions; the Act of 1918 of course increased the total electorate to about 21 millions, out of the population of 40 millions. Thus we find that Great Britain had only 5 millions and a few more enfranchised up to 1918 though primary education (under the Act of 1870) had been made a compulsory measure and rich harvest thereof had been reaped in the intervening period. There representative institutions attained their full growth through well-built conventions and practices. There were, moreover, the powerful political parties and their organisations to help in the extension of the franchise to suit their own party ends and purposes. The extension was never felt as a necessary corrolary to the growth and working of representative institutions. It is a false contention to presume that extended franchise means more and restricted franchise means less, of political progress.

7. India is a land of villages. The villagers, though scattered over a large area, are homogeneous in their needs and aspirations. As such extension of franchise may not be regarded to be a matter of imperative necessity. But the extension is necessary to accommodate the growing public demand and to cure the innumerable anomalies inherent in the existing franchise qualifications. The chief anomalies are:—that the higher proportion of the urban population is enfranchised; that women have been coldly neglected; that many literates have no votes whereas illiterates are enfranchised; that the poor in rural areas are placed at a disadvantage; that different franchise qualifications have not brought all classes and interests on the register corresponding to their number and importance in the body politic; and that unwieldy constituencies have been created.

8. Let us illustrate the anomalies by reference to statistics—

(I) British India has only 1,516 towns but 498,527 villages. The urban population of British India is a little more than 25 millions whereas more

than 221 millions belong to the villages. The rural population have suffered doubly. Firstly, the different franchise qualifications have enfranchised a smaller number of villagers and have placed the urban population at an advantage. Secondly, by the mixing up of rural areas and urban areas in one constituency, the rural voters whose means of communication and transit are not up-to-date have hitherto had little voice in the election of their representatives. As against that the urban population who live in a more or less compact fashion have their means of communication within easy reach and ready at hand. Most of the 500,000 villages have not yet been touched by metalled roads or railways or other convenient modes of transit. The people of the country are wedded to the soil. Agriculture supports 226 out of 315 millions; 208 millions of them earn their living directly by or depend directly upon the cultivation of their own or others' fields. India gives out of every hundred 71 to agriculture, 12 to industry, 5 to trade, 2 to domestic service, 1½ to the professions and 1½ to Government service or the Army. Therefore, India lives in villages and any system which hits the villages hits India. The United Kingdom has been urbanised: in England and Wales, the rural population is only 21 per cent. and in Scotland it is only 23 per cent. In Canada out of a population of 9 millions, only half lives in villages and the tendency is towards urbanisation.

(II) The enfranchisement of women on the same terms as men has produced unsatisfactory results; there are now few women voters. India's women except among the Moslems do not inherit property in their own right. This qualification therefore places them at a disadvantage. The proportion of female electors to adult female population is as follows:—1 per cent. in Madras, ·8 in Bombay, ·3 in Bengal, ·4 in United Provinces, ·5 in the Punjab, ·2 in Assam. In Great Britain, even upto a year as late as 1928, there were different franchise qualifications for men and women.

(III) In India, literacy has never been taken as the basis for the extension of franchise. If literacy were made the test, many more would be enfranchised. The proportion of male elector to adult male population is a little more than 10 per cent. but the percentage in 1921 of the adult male literates in the electoral areas of the Governors' provinces (excluding Burma) was more than 15 per cent. When the qualification is rental and not literary, it is quite in the fitness of things that many illiterates should be on the register to the exclusion of low-paid and unemployed literates. The warmest advocate of literacy as a safe basis was Disraeli. Even then during the whole of his political supremacy, Great Britain had only one million of voters where the percentage of literacy (during the years 1841 to 1845) was more than 67 per cent. among men and more than 51 per cent. among women. History bears witness to the fact that civic spirit is not the monopoly of the literate. That however is no reason why literacy should not have a chance or should have no preference at all.

(IV) Where the franchise qualification is based on property, it results in the poor being excluded from the register. Property no doubt is a sure and accepted basis of enfranchisement. As such it held sway even in England until the Franchise Act of 1918. The anomaly in India is that the rural qualification is higher than the urban qualification. It has necessarily resulted in a very disproportionate percentage of rural voters to the rural population as compared with the percentage of urban voters to the urban population.

(V) Property qualification has affected the communities in other ways also. The Muhammadans have suffered: the Muhammadans of Bengal are only 48·8 per cent. in the electoral roll though they are more than 55 per cent. in population. The depressed classes in Madras form 15 per cent. of the population of the Presidency but they constitute only 4 per cent. of the electorate. In Bombay with 8 per cent. of the population, they constitute only 2 per cent. of the electorate. Property qualification discriminates

against their junior members of the undivided Hindu families who pay no separate qualifying property tax in their own right.

(VI) Unwieldy constituencies have been created. Take the case of Bengal. It has an area of more than 77,000 square miles which returns 46 non-Muhammadan members. It works out on an average at more than 16 hundred square miles to one member. Bengal has a non-Muhammadan population of more than 21 millions and it works out on an average at more than 450 thousand returning one member. In the case of the Council of State where members are returned by direct election, each constituency covers approximately the area of Scotland with three seats so far as non-Muhammadans are concerned. In the case of the Assembly, it is nearly half the area of Scotland with only 6 seats for the non-Muhammadan population of 21 millions. The United Kingdom which has an area of nearly 90 thousand square miles allots on an average to the representative assembly, the House of Commons, one member to each 140 square miles. True, when we come to examine the constituencies in the Dominions of Canada and Australia, we find them extending over and covering large areas. But it should not be forgotten that the population there is more or less compact and is not scattered or distributed over rural areas, which are here in some cases water-logged and in most cases unapproachable either by rail or by metalled roads or even by other safe, convenient and speedy means of transport.

9. All these anomalies call for a change. It is with a view to remove or redress the anomalies and to make the legislatures more representative that the Indian Statutory Commission recommended that the electorate should be trebled. They meant that at least 10 per cent. of the population or 20 per cent. of the adult population should be enfranchised. The Franchise Sub-Committee of the Indian Round Table Conference has recommended that not less than 10 per cent. and not more than 25 per cent. of the population should be enfranchised. The whole question should be examined with due regard to the peculiar conditions governing India.

10. It must be noted that 10 per cent. of the population is 20 per cent. of the adult population because the adult population is half of the total population. When the Franchise Sub-Committee recommend that 25 per cent. of the population is to be enfranchised, it must be taken to mean that 50 per cent. of the adult population would get the vote. If the 25 per cent. recommendation is to be given effect to, and the female franchise, as recommended, is to be more restricted than that of men, it would roundly mean that nearly all the adult males would be enfranchised. That is the implication of the 25 per cent. enfranchisement of the total population—a position which should not be contemplated or endorsed very lightly.

11. Let us examine the conditions of Bengal. The proportion of electors to population at present is 2·5 per cent. and the proportion of male electors to adult male population is 9·7 per cent. If the recommendation of the Franchise Sub-Committee that the wife of a voter is to be enfranchised is accepted, the proportion of female elector to adult female population would be very nearly 8 per cent. Our adult population is 23 millions and the male adults are half that number. Out of 11½ millions of male adults, nearly 11 millions are married. It can be safely taken that nearly every male voter is married. Arguing therefore on that basis, we arrive at the same number of voters for females as for males. But allowance must be made for the fact that many male voters may have child wives, *i.e.*, wives who are not of votable age, namely, less than 21 years. Making that allowance, we conclude that if the proportion of male electors to male adult population be 10 per cent., we shall get the proportion of female electors to female adult population approximately as 8 per cent. Taking the two together, 9 per cent. of the adult population would be enfranchised, if wives of the existing voters

get enfranchised. And it should be borne in mind that 9 per cent. of the adult population means 4·5 per cent. of the total population.

12. If literacy be taken as the test, we find that the proportion of adult literates to the total population is more than 6 per cent. of which at least 2 per cent. is not on the electoral roll. The proportion of adults literate in English is 1 per cent. of the total population of which more than one-third are not on the electoral roll. In our presidency, it is stated that in the rural constituencies half the Muhammadans and one-third of the Hindus who voted in 1926 are illiterate.

13. If the chaukidari tax of Rs. 2 the payment of which entitles one to vote is halved, *i.e.*, if the electors to Union Boards are made eligible voters to the Council, we get about 1 million of voters more in the rural areas which work out as 2 per cent. of the total population and 4 per cent. of the adult population.

14. Thus we find that the franchise may be broadened if the electoral rules are modified thus:—

That a person (of 21 years of course) shall be qualified as an elector to the Council—

(1) if he or she is an elector to the Municipal Corporations, District Boards, or Union Boards or

(2) if he or she was in the previous year assessed to income-tax or

(3) if he or she is literate or

(4) if she is the wife or widow of a voter.

These qualifications are indisputably liberal and if they are accepted, a little more than 13 per cent. of the population may be enfranchised. At present in Bengal there are 1,173,000 voters and if the Union Boards electors are taken in, nearly 1 million voters would be added to the register. And by adding all the District Boards and Municipal voters and the income-tax payers, we may find the electoral strength of 1,173,000 increased up to nearly 3 millions. In Bengal more than 3 millions are adult literates and arguing on the calculation, approved of by the Indian Statutory Commission, that one-third of the Hindu voters and half of Muhammadan voters are illiterate, we can safely take it that there would be at least 1¼ million literates who would not be on the register under clauses 1 and 2. Thus we find the electoral strength increased under clause 3 up to 4¼ millions. Under clause 4, we would get more than 2 millions of adult married women who have or had their husbands as voters. After subtracting a few married women who would be enfranchised under clauses 1 and 2, we find the electoral population in Bengal under the above qualifications would be nearly 6¼ millions. The figure would be decreased when the clause 4 would be recast in the following way, as we have advocated later on—"If she (of 25 years and above) is the wife or widow of a voter". Because in Bengal, the married women between the ages of 20 and 25 would be nearly 2 millions.

Our conditions are peculiar. The percentage of literacy is ridiculously small; because only 773,161 persons are literate in English and only 4 millions are literate, *i.e.*, they can read and write their names out of the population of 46 millions in Bengal. The tax-paying population is also infinitely small; ours is a country where the average annual income on an optimistic estimate is £8, *i.e.*, not more than Rs. 108. Of the 46 millions in Bengal, the actual workers are 16 millions and the other 30 millions are dependants. In the production of raw materials which is the principal means of occupation, 11 millions are the actual workers and 25 millions are dependants. In such a poor country few people pay income-tax. Moreover, the joint family system excludes a great portion of the people from the tax register. Even where taxes are paid by the members of a joint family, the family is adopted as the unit and the person qualified to vote is the manager

of the family. Thus the peculiar circumstances of the country create obstacles, administrative or otherwise, towards the extension of the franchise. If the population be neither literate nor tax-paying, great circumspection should be observed to deal with them as political units. Mere numbers do not carry weight in political science and ought not to in political adjustments. A citizen is to be recognised on the merit and strength of his contribution to the State. One is adjudicated incapable of having a say on the supreme affairs of the State if he fails to contribute to its growth, maintenance and welfare. And by all accepted notions of social science and principles of natural law, these contributions come from the literate and the tax-payer both of whom are potent economic factors in the body politic. The rest can demand attention from the State but cannot claim a voice in the management thereof.

15. The franchise qualification existing in Great Britain up to 1918 was as follows:—

There was the Household Franchise. A man had to occupy as owner or tenant for twelve calendar months a dwelling house in the borough. To be entitled to the Lodger Franchise, one has to reside in the same lodgings as the sole tenant for 12 months, such lodgings being of the clear yearly value (unfurnished) of £10. With such a restricted franchise, nearly 50 per cent. of the male adults in Great Britain were enfranchised. If literacy had been added as a test, nearly all the adults would have been enfranchised because the Primary Education Act, as we have observed, had been in operation ever since 1870. But in our country, the Household and Lodger Franchise cannot enfranchise any appreciable portion of the population nor can literacy do much more. The representation of the People Act, 1918, in Great Britain abolishes the voting qualification of property owner, freeman and lodger and requires qualified age and residence for 6 months or the occupation of land or premises of £16 annual value for business purposes for 6 months. The wisdom of such wide extension under the present circumstances in this country may be doubted—though that would enfranchise a great proportion of the population.

16. Circumstanced as we are, our problem is to be tackled differently and different methods are to be explored.

17. The existing basis of franchise in the urban and rural areas of Bengal (excepting Calcutta) is as follows:—

If a person has paid—

(1) in the Municipality of Howrah municipal taxes or fees of not less than Rs. 3 or in any other municipal or cantonment area, municipal or cantonment taxes or fees of not less than Re. 1-8 or

(2) road and public works cesses of not less than Re. 1 or

(3) chaukidari tax or union rate of not less than Rs. 2 or

(4) assessed to income-tax or

(5) is a retired, pensioned or discharged officer, non-commissioned officer or soldier of His Majesty's Regular Forces.

18. The above qualifications, restricted of course as they are based on property and service qualifications, enfranchise only a small proportion of the population. Even then the electorates, if examined, are found to have exercised the votes sparingly and not often intelligently. If we examine the percentage of votes polled in the third elections of the provincial councils in which all the political parties of India contested, we find the percentage as little more than 48 in Madras, 39 in Bombay, 39 in Bengal, 50 in United Provinces and 52 in the Punjab. In all the eight provinces excluding Burma, the percentage of votes polled in the elections of 1926 was 42. In Great Britain more than 80 per cent. of the voters go to the poll. We do not contend it seriously that electoral contests in our country do not attract

the general body of voters. But few amongst us regard the electoral contest as a contest of policies and not of persons. Even where that is understood or appreciated, want of facilities for the recording of votes is a great handicap. In the towns there are ample materials to work upon. There is the better standard of education, greater independence of the voters, more convenient means of communication and larger experiences in local self-Government—all these are there and they all ensure intelligent casting of votes and justify a broadening of the present franchise basis. But in the rural areas; voters are gathered in a mass by canvassers and made to march in a phalanx in support of a particular personage about whom they know little and of whose programme and policy they know less. Moreover, the facilities for the recording of votes due to inadequate means of transport are generally unsatisfactory. The villagers, illiterate and uninitiated into the mysteries of urban politics, have not yet reached the position of exercising their votes intelligently. The distribution of constituencies has been so unscientific that the rural voters, inconvenienced as they are, cannot be expected to influence the decision of the urban voters in the election of representatives. It must be borne in mind that there are no representatives exclusively for rural areas. In the list of constituencies in Bengal, some are classed as urban, *viz.*, Calcutta, Hooghly, Howrah, 24-Parganas and Dacca city but the rest are classed as rural where the votes of the districts and subdivisions are included and regarded as of greater importance in that they can be easily made to poll. It is moreover a common experience that the votes of the villages follow the tendencies of the urban votes. We have seen before that the villages predominate in our country and the problems in India are essentially rural problems. Because of the unscientific distribution of constituencies, it has been found that really village representatives are not sent to the local councils and as such rural problems are neither pressed into attention nor adequately understood or appreciated. Naturally villages recede into the background and the wants and needs of the villages are neglected. Politics thus comes to be dominated by urban influences. This is made possible or facilitated by the existing distribution of constituencies, and the facilities and resources of modern life.

19. The prime necessity, therefore, is the separation of rural from urban constituencies. We find from experience that if extension of franchise is to be made in favour of any class, it should be in respect of the urban voters because they have facilities, education and training for the intelligent exercise of the franchise. In process of time they may be expected to muster stronger at the polling booth. In the rural areas the difficulties are innumerable. But we do not like to put forward all these difficulties as a plea for robbing the villagers of the little voice and influence that they could be made to exercise in the public administration of the country. We feel with them and we feel for them. And that is the reason why we favour the separation of rural from urban constituencies whereby the villagers should have their exclusive representation. But to counteract the difficulties mentioned above which are serious and not to be trifled with in our anxiety for political advance, we favour the introduction of the "Mukhi System" in the rural areas—warmly advocated by the Marquis of Zetland in the Franchise Sub-Committee of the Indian Round Table Conference. The System says that the adult villagers who are not enfranchised would be divided into groups—say groups of 20 villagers—and each group would select a headman, commonly known as the "Mukhi" and those headmen would form the electorate which would be of manageable proportions. Suggesting the system, Lord Zetland said- "The system is one certainly not unknown in India and amongst some communities is comparatively well known".

20. In our presidency, there are more than 43 millions of people in the villages of which half are adults. There are at present 1,173,000 electors of which 1 million, let us take, belongs to the villages. Then from 21½ millions of adults in villages, if 1 million is subtracted, we get 20½ millions of adults

in villages who are un-enfranchised. If they are divided into groups of 20 each, we get a little more than 1 million groups and each group would send one headman. These 1 million headmen would form the electorate for the rural areas, over and above others who are directly qualified. Through them the benefit of indirect adult suffrage would be extended throughout the whole area. This system eliminates the defects of adult suffrage in a country like ours retaining all its advantages.

We can also take the village as the unit. There are 85 thousand villages in Bengal of which villages with a population of less than 500 are nearly 60 thousand. If we take a village of 500 or less as the unit, it means that all the adults except those directly enfranchised would select one headman who would form the electorate. But the system of taking the village as the unit is likely to give rise to many difficulties because according to the village grouping system, the thinly-populated and thickly-populated villages are placed on the same footing. In that case, a village with a population of 400 gains no greater advantage than the village with a population of 100. Under these circumstances, the best course is to take to grouping of numbers, say grouping of 20 or 30 adults not directly enfranchised.

21. All these groups bear analogy to an electoral college on an extended basis. Such a manageable electorate is helpful because they can be approached by literature. They may be trusted to carry their own conscience and identify it with that of the villagers whose needs and requirements require looking into. Such headman would not and could not fail to select a representative who is a rural man first and an ambitious man afterwards under the search-light of criticism and social opinion. Moreover, such a system based on grouping with elements both of selection and election is best suited to the native genius of India.

22. In all these calculations specified above we take it for granted that women would not suffer from any handicap because all adults would be taken as enfranchised in the primary stage. But if and where the Mukhi system should not prevail, as it is not necessary in towns where the difficulties of direct election are not insurmountable, it would be found that women having all the terms of men would not gain appreciably and accordingly there ought to be some concessions in favour of women. At present, women are enfranchised on the same terms as men and the existing property qualification has enfranchised only a small fraction of the women population. The women electors are 116,000 in Madras, 39,000 in Bombay, 38,000 in Bengal, 51,000 in the United Provinces and 21,000 in the Punjab. The proportion of female electors to adult female population is 1 per cent. in Madras, ·8 in Bombay, ·3 in Bengal, ·4 in United Provinces, ·5 in the Punjab.

23. Women in our country except among the Moslems do not inherit in their own right. Property qualification therefore militates against them. In our presidency childless widows do inherit but they form a negligible section. The percentage of the votes of women polled is very small because they are not enthusiastically interested in politics. Moreover, the purdah system in our presidency is an additional handicap. We do not yet regard it as a reproach that our women have not been dragged into politics. Our sociological outlook is the very antithesis of it. But the spirit of democracy that is abroad is not in favour of excluding half the population of the country from exercising any voice or influence in the management of the State. The Indian Statutory Commission have recommended that an additional qualification for women should be added to the present qualifications, *viz.*, being the wife or widow, over 25 years of age of a man who has or had a property qualification to vote. Some of the ladies' organisations in India have recommended adult franchise for women. The lady delegate of the Franchise Sub-Committee (Begum Shah Nawaz) desired that apart from the same qualifications as those of men, every wife or widow of qualified age (that is 21 years) of a voter should be enfranchised.

24. Even as late as 1928, Great Britain had the following qualifications for woman :—Woman of 30 years of age must be a local Government elector for the occupation of land or premises of £5 yearly value or of a dwelling house or is the wife of a husband who is entitled to be so registered.

Those were the franchise qualifications for women in a country which knows neither illiteracy nor purdah and whose sociological outlook is in favour of the political emancipation of women. The qualifying age in Great Britain was 30 years. Those who would get votes simply on the strength of age and wifehood should be sufficiently elderly to understand something of the utility of franchise which she would be called upon to exercise. In the first stage, franchise to a wife would mean double votes for a husband voter. In course of time, however, we could hope that the exercise of franchise would arouse political consciousness among them such as would have a salutory influence upon our politics. With that hope, we should favour the extension of franchise to women in the following way:—

(1) That the property qualification should apply to women on the same terms as men (as is the present qualification), or

(2) That educational qualification should apply to women over 21 as well as to men (as advocated by the Indian Statutory Commission), or

(3) That wives or widows, 25 years of age, of voters should be registered as electors to the provincial councils (as advocated by the Indian Statutory Commission).

25. Literacy test, however high, should not be left out because that would be the only source of enfranchising our educated sisters who are not married. The Indian Statutory Commission recommended education up to the fifth standard as the minimum basis of literacy qualification. Though this standard, sufficiently high in our country, would enfranchise a small section, still that section should not be excluded from the electoral roll, especially when others who are likely to exercise the franchise less intelligently would be on the roll. The Indian Statutory Commission in urging to put on the voters' list at the age of 21 irrespective of sex those who held a certificate showing that they had reached the standard of the fifth class suggested that the said additional qualification would not only bring in voters of better education without any property test but would provide for an increase in the number of electors in proportion as education expands.

26. The Franchise Sub-Committee of the Indian Round Table Conference recommended that the electorate should be increased in such a way as to reflect the population strength of each community. We do not and cannot agree with such recommendation because the principal and chief objective of the extension of franchise to one is not and should not be governed by the population ratio of the community to which he belongs. It should be governed by some other standard which entitles one, irrespective of his creed, to exercise his vote intelligently. This recommendation has been made principally to do justice to the Muhammadan community in India which has a fair number but correspondingly less wealth, less literacy, less property, etc. We contend that in broadening the franchise the above recommendation should not be given effect to at the cost of efficiency and justice.

27. As far as Bengal is concerned, the Muhammadans claim, that as they are numerically greater than the Hindus, the strength of the electoral roll should be corresponding to their population ratio. Their grievance finds favour in the fact that at present though they are more than 55 per cent. in population, they are only a little more than 47 per cent. on the electoral roll. Their complaint needs a little closer examination than has hitherto been made.

28. On the question of franchise, the people of qualified age are the only units to be recognised and dealt with. The Muhammadans are superior in

number only in children. The following table will show how Muhammadans outnumber Hindus below the age of 21, but they are in minority as far as the adults are concerned.

Subsidiary Table I. B.

(Graduated Distribution of 100,000 persons by age periods.)

Age Period.	Hindus.		Musalmans.		Comparative Muhammadan Excess+ Deficiency—	
	Males.	Females.	Males.	Females.	Males.	Females.
0—4 . .	13,954	14,187	17,001	16,679	+3,047	+2,492
5—9 . .	11,515	11,789	14,182	14,000	+2,667	+2,211
10—14 . .	10,563	10,768	12,409	12,301	+1,846	+1,533
15—19 . .	9,964	9,952	10,639	10,635	+675	+683
20—24 . .	9,501	9,310	9,368	9,442	−133	+132
25—29 . .	8,949	8,685	8,041	8,132	−908	−555
30—34 . .	8,157	7,891	6,849	6,953	−1,308	−938
35—39 . .	7,230	7,985	5,721	5,829	−1,509	−2,156
40—44 . .	6,155	5,999	4,709	4,816	−1,446	−1,183
45—49 . .	4,697	4,673	3,723	3,772	−974	−901
50—54 . .	3,329	3,405	2,791	2,792	−538	−615
55—59 . .	2,348	2,458	1,925	1,931	−423	−527
60—64 . .	1,640	1,732	1,241	1,256	−399	−476
65—69 . .	1,059	1,136	732	754	−327	−382
70—74 . .	578	633	389	408	−189	−225
75—79 . .	256	285	202	215	−54	−70
80—84 . .	92	98	68	74	−24	−24
85—89 . .	13	14	10	11	−3	−3

(Taken from page 236 of the Census of India, 1921, Vol. V, Part I.)

It is undeniable that children do not make a community nor can premature youths below the age of 21 be taken into consideration to settle and extend the franchise basis. This disparity in numbers between the minor section and major section is due to progressive infant-mortality among the Muhammadans. The mean age of the Muhammadans is 22 years and the mean age of the Hindu is 25 years which accounts for such interesting disparity.

29. The Muhammadans are also poor as would be evident from the following figures:—

Distribution by religion of workers and dependants.

	Hindus.	Muhammadans.
Exploitation of Minerals .	75,044	2,384
Preparation and supply of material substances . .	4,782,624	1,882,879
Industry	2,546,631	1,015,144
Transport	430,260	273,553
Trade	1,805,730	594,182
Public administration and liberal Arts	849,533	222,108
Persons living on the income .	30,633	4,643
Unproductive labour, *viz.*, Jail inmates	5,652	8,082

(Taken from the Census of India, 1921, Vol. V. Part II, pages 362—368.)

30. The percentage of literacy among the Muhammadans is smaller as the following figures would show:—

Education (of the age 20 and over).

	Literate.	Literate in English.
Hindu	2,041,575	389,991
Brahmo	1,472	1,131
Arya	38	25
Sikh	781	140
Jain	5,717	708
Buddhist	17,493	1,441
Parsi	476	378
Muhammadan	946,301	83,552

(Taken from page 70 of the Census of India, 1921, Vol. V, Part II.)

The chief objective of the foregoing analytical examination of the strength of each respective community in infant mortality, education and wealth is put forward not with a view to expose any defects or disparage the existing state of things amongst the Muhammadans. The whole object is to draw attention to the fallacy of a contention that is untenable. There is no need to lower the franchise-basis with the sole view of reflecting the population strength of the Muhammadans of Bengal in the electoral roll—the simple reason being that they are not in a majority as far as the adult population is concerned and that their strength in the electoral roll, as it stands now at 48·8 per cent., is quite in proportion to their strength of the population in adults, even though illiteracy and poverty have left unfavourable marks on the community. This is a fact to be deplored but it cannot be brushed aside in any consideration of the re-adjustment of the system of franchise.

31. As regards the depressed class—a nomenclature which does not admit of any specific definition, the question of the strength of the electoral roll in proportion to their population ratio resolves itself into a delicate problem. Dr. Ambedkar, supposed to represent the depressed classes in the Indian Round Table Conference, held and pressed his interesting view that the depressed classes would not be satisfied if they were treated as Hindus and that they, forming a different community, would like to see their population strength reflected on the electoral roll. The estimate of the numbers of depressed classes as given by the Indian Statutory Commission is as follows:—

The number in millions of the depressed classes is 6·5 in Madras, 1·5 in Bombay, 11·5 in Bengal, 12·0 in the United Provinces, 2·8 in the Punjab, 5·0 in Bihar and Orissa, 3·3 in Central Provinces, and 1·0 in Assam. The approximate percentage of the total population is 15½ in Madras, 8 in Bombay, 24½ in Bengal, 26½ in United Provinces, 13½ in the Punjab, 14½ in Bihar and Orissa, 24 in Central Provinces and 13 in Assam. These figures must be read subject to the warning given by the Commissioners themselves—

"In provinces where the effects of untouchability are most seriously felt, the figures are likely to be fairly precise but in other parts of India where the treatment meted out to depressed class is not so severe, there is a wide margin of possible error. In these three provinces (*viz.*, Bengal, United Provinces and Bihar and Orissa) the connection between theoretical untouchability and practical disability is less close and a special investigation might show that the number of those who are denied equal rights in the matter of schools, water and the like is less than the total given for the depressed classes in those areas."

32. As far as our presidency is concerned there is only theoretical untouchability; practical disability is almost non-existent. Moreover, the de-

pressed classes are merely a species of the same genus, Hindus, and we refuse to accept the depressed classes as a separate community. The basic structure of our village organisation is founded upon the spirit of accommodation and upon the recognition of the so-called untouchables as a part of the Hindu Community. Moreover, the disabilities are fast wearing away and society is being adjusted on new lines, upon fresh outlook and altogether upon fresh ideals throwing equal opportunities to all. It is indeed a tall claim that the depressed classes would be treated as a different community simply because they are denied certain amenities of social life. If that were accepted, society would be split up into innumerable communities. Such a proposition would lend support to every section of every community propping up grievances, imaginary or real, to prove that equal rights are denied to their part of the community. While regretting the narrow chasm that separates the depressed classes from the caste Hindus and while sympathising with the aspirations of the said community towards the achievement of which every section of the Hindus is determined to contribute in his own way, we will not and cannot accept the claim, put forward presumably in the interest of the depressed classes that they should be treated as a separate community. We would welcome efforts, individual and governmental, for the amelioration of their conditions, social, economical, educational and political. But in no case should they be segregated from the chain of the Hindus.

33. Moreover, the depressed classes live in villages and the Mukhi system, if given effect to, would satisfy all the backward sections as every adult is thus given an indirect voice in the management of the State. Added to it, the depressed classes in their residential arrangements keep more or less together in certain areas; they could therefore be trusted to send some representatives in every way fit and proper to reflect their views and interests. In fact, under the present restricted franchise, the so-called depressed classes are well represented in the local Council. Without entering into the question of how and to what extent the depressed classes should be represented in the local legislature, the question which ought to be decided in the best interests of the entire rural population of which the depressed classes form a considerable proportion is how to obtain the best results of the Mukhi system. Rural interests are indissolubly intertwined with those of the depressed classes.

34. The representation of labour needs reconsideration. From the category of labour, we may exclude agricultural labour because adequate and satisfactory arrangements for the representation of rural areas being made, agricultural labour will have no grievances of its own. In India there are nearly 3 millions of industrial workers who are extremely low paid. The Whitley Commission have recommended that labour should be represented in the legislature. At present, nomination is resorted to to secure the representation of the workers in organised industry, three members being nominated in the Bombay Council, two in the Bengal Council and one in each of the legislature of the other provinces except in the United Provinces and Madras Councils where there are none. The Simon Commission recommended that in the event of the lowering of franchise, there would be no need for the special representation of labour but as long as restricted franchise existed, the Governor should nominate after consulting labour organisations, and "if suitable members are available, we should like to see the proportions of labour representation not only maintained but increased". Major Attlee who did not believe in the separate representation of particular interests advocated adult suffrage for industrial areas. We feel and know that it is not within the competence of the Franchise Sub-Committee to decide the question of the representation for special interests, but granting that special interests would be represented and franchise basis would be so restricted as not to admit the general body of industrial workers in the electoral roll, we should favour representation for labour through the electoral college system, as prevalent in the Bombay Municipality. There four councillors

are chosen by an electoral college of delegates who are elected by the members of registered trade unions. The number of delegates elected by each union is proportional to the strength of the Union. The creation of such "pocket constituencies" would help the organisation of labour, the need of which cannot be over emphasised. If commerce can be represented by commercial organisations, it is quite in the fitness of things that labour, which is the antithesis of commerce representing capital, should also be represented through labour organisations. In fact, no sufficient or cogent arrangement to the contrary has hitherto been advanced and none can be conceived. In the growth and development of representative institutions, the system of nomination should give way to the principle of election. The existing system of nomination should therefore be abolished.

35. The Round Table Conference has accepted the recommendation that the landholders should have special representation in the legislature. At present, the number of special landholders' seats in the provincial councils is 5 in Bombay, 4 in the Punjab, 6 in the United Provinces, 5 in Bengal, 6 in Madras, 3 in Central Provinces, and 5 in Bihar and Orissa. All these provinces send one landholder each to the Legislative Assembly.

36. As regards the creation of landholder constituencies, we might make one suggestion. When special interests are to be represented in the legislature through special constituencies, it only follows as a matter of course that pocket constituencies would be created for them. At present, commerce and industry are represented by their respective organisations. It is also suggested that labour should be represented by the labour unions. Those who advocate the special representation for the depressed classes favour some sort of electoral college system for them. It is thus seen that the tendencies regarding the representation for special interests are through the pocket constituencies, *i.e.*, each interest is to be represented by its respective organisations. Arguing on that basis we do not find any reason why the landholding interest should not be represented by the different landholders' organisations in the country. Landholders' constituencies can be created in the same way as the existing Commerce and Industry constituencies. The Commerce and Industry constituencies for the Bengal Legislative Council are the Bengal Chamber of Commerce, Indian Jute Mills Association, Indian Tea Association, Indian Mining Association, Calcutta Trades Association, Bengal National Chamber of Commerce, Bengal Marwari Association and the Bengal Mahajan Sabha. Similarly the landholders' constituencies can be made. At present there are 5 landholders' seats in Bengal, one for each division and the constituencies look like general constituencies with more restricted franchise and larger areas. It is only in the fitness of things that the British Indian Association which is the premier landholders' organisation in the presidency and has jealously guarded the landholding interest for the last eighty years can legitimately claim to be a constituency for sending landholder representatives in the legislature. In fact, the British Indian Association enjoyed the privilege of recommending a member for nomination by the Lieut.-Governor of Bengal to his council under Rules framed under Section 1 (4) of the Indian Councils Act, 1892—a privilege which showed the importance and representative character of the Association.

Special interests must have special constituencies having special representative organisations run on sound and democratic lines. Otherwise the special constituencies become unwieldy and it does not become possible for such members to be in touch with their voters—a thing which is all the more necessary in the case of special representation. The representatives for special interests must always be backed by their respective organisations and informed of their respective grievances, otherwise special representation does not become effective. Whenever arrangements for special representation for special interests are made or recommended, it should be taken for granted that there is the legitimate apprehension of such special interests being ig-

nored and in that event, the members for special interests must have their organisations to inform and consult. The need of contact between the members and voters is so pressing and helpful that the creation of " pocket constituencies " for special interests is the logical outcome of the situation, and also solution of the problem.

37. As regards the University Constituency we suggest that in view of the general demand for the increase of the electorate, the existing basis of graduation of seven years standing may be lowered and every graduate of qualified age of the University should be an elector for the university constituency. Every year the Calcutta University produces nearly two thousand graduates and the above recommendation, if given effect to, would enfranchise nearly 12 thousand graduates more for the university constituency.

38. In Great Britain, a man of full age who has received a degree at any university forming, or part of, a constituency for the House of Commons is entitled to be registered as a voter for that constituency. Honorary degrees do not qualify.

39. In this connection, we desire to point out that the Calcutta University can and should claim more seats than the Dacca University whose jurisdiction extends over the city of Dacca only. At present both the Dacca and Calcutta Universities are placed on the same footing. They have equal number of seats, one being allotted to each. It is an injustice to the Calcutta University whose jurisdiction extends over the two entire provinces of Bengal (excepting the city of Dacca) and of Assam. The average number of graduates turned out annually by the Dacca University, it may be relevant and interesting to note, is in no event more than 200. In Great Britain also all the universities have not the same number of seats. The importance of the universities and the number of students are two factors to be recognised: there are 7 university seats for the House of Commons in England to which number Oxford and Cambridge having greater numerical strength and a more ancient tradition contribute two each, London one and the combined universities of Durham, Manchester, Liverpool, Leeds, Shefield, Birmingham and Bristol send two. Wales and Northern Ireland send one each while Scotland sends 3 jointly voted for by the universities of Edinburgh, St. Andrews, Glasgow and Aberdeen.

40. We have so long been considering the question of electorate for the provincial Councils. Coming now to the Federal Legislature we find that the recommendation is to the effect that the Federal Legislature should consist of two Houses, the Lower and the Upper. We do not like to reopen the finding of the Indian Round Table Conference as to the method of election to the Lower Chamber whether it would be direct which is theoretically sound and indirect which is practically advantageous. As a middle course, we have favoured direct election *plus* indirect election in the rural areas and purely direct election in the urban areas for the provincial legislatures and we recommend the same procedure in the case of the Lower Chamber of the Federal Legislature also.

41. In the event of the introduction of indirect election in the rural areas —the benefits and advantages of which have been explained already—the need of lowering the existing franchise basis for the Legislative Assembly does not arise. On an examination of the existing franchise basis, it is found that property, taken in the strict sense of the term, has been favoured to the exclusion of income. Let us take the example of Bengal. A man may be qualified as a voter for the Calcutta constituency if he pays municipal taxes of Rs. 60 or for any other constituency if he pays municipal taxes of Rs. 10 in the Municipality of Cossipur-Chitpur or Rs. 5 in any other Municipality or Rs. 5 as road and public works cesses or as Chaukidari taxes. But no one would be qualified as an elector to the Legislative Assembly it he is not assessed to income-tax on an income of less than Rs. 5,000. It is based on an admittedly false and obsolete principle that a man of full

age paying Rs. 5 as Municipal taxes would be qualified to vote to the exclusion of one earning Rs. 400 a month in a country which has an average annual income of at most Rs. 108. Any one who pays an income-tax makes his contribution direct to the state-exchequer and he can and should be qualified as an elector to the Legislative Assembly. Subject to this small modification, the existing franchise basis may stand as it is. It stands to no reason and gives no positive advantages if the same franchise qualifications exist for the provincial Councils and the federal legislature. When the constitution of the country is likely to be refashioned on a federal basis, it would be found that the questions and problems which affect a citizen direct are to be tackled by the provincial councils and there is no meaning in the demand that the general body of the people should interest themselves and be enfranchised in respect of the Federal Legislature. The Federal Legislature would interest itself with the questions of Exchange, Customs, Army, Foreign relations, etc.—questions which are vital no doubt but extremely complicated and as such mere adults should not be held qualified to express their opinions, direct or indirect, thereon. From the experiences gathered in the working of constitutions all over the world, it has been found that the masses can, and do enthuse themselves over questions which touch them directly, but they have been found to be apathetic on abstract questions, however vital or profound they may be. If we examine the percentages of votes polled in the case of referendum in Switzerland, we find the same tale and the same tale is bound to be repeated all over the world. In that view of the case it is but meet and proper that the franchise qualifications for the Federal Legislature should be restricted among classes who are capable of interesting themselves on those vital but abstract questions likely to come up before the Federal Legislature. Moreover, the disadvantages of restricted franchise will not be felt if the method of indirect election based on the grouping system (the Mukhi system) is introduced in the rural areas which predominate in our country.

42. It has been tentatively suggested that the province of Bengal should send 32 representatives for the Lower Chamber. It is inevitable that the constituencies should cover large areas and large populations. But in the case of restricted franchise and group-election in rural areas, the voters are likely to be of such quality which could be approached by literature. Restricted franchise is all the more necessary when the province of Bengal with an area of more than 76 thousand sq. miles and a population of 46 millions would be asked to send only 32 representatives. But if we ask for more representatives for Bengal, we would only be making the Lower Chamber too large and unwieldy for any serious business. Added to it, it would be unfortunate if the largeness of the constituencies due to big areas and small number of representatives necessary is doubled because of communal electorate. If Bengal is to have 32 representatives for the Lower Chamber, the territorial constituencies would be divided into 32 divisions but in the event of the maintenance of communal electorate, we shall have roughly 16 divisions, each division, indisputably unwieldy even in the case of 32 divisions, returning two members, one Muhammadan and one non-Muhammadan. We can only regret if separate electorate is perpetuated in the country. The only way out of this impasse is joint electorate—a question on which we feel keenly and strongly. We have been greatly handicapped to discuss the question of franchise in all its bearings because we do not know where we stand in regard to the important problems of the joint electorate *vs.* separate electorate and the percentage of seats in the Legislatures, Provincial and Federal, of each community. We deplore the absence of solution of these vital questions—a position which leaves us in the hand of destiny and makes our position uncertain and the future dark.

43. As regards the Upper Chamber, we are in entire agreement with the recommendation that the method of election should be indirect taking the

Provincial Legislatures as the constituencies. There were also suggestions for inclusion of the Municipalities and District Boards in the class of constituencies for the Upper Chamber. If District Boards only are included, justice would not filter down to the rural areas if the Union Boards are not taken in. To ensure the representative character of the Upper Chamber, the following may be suggested for inclusion in the class of constituencies, *viz.*, the Provincial Legislature, the Municipal Corporations, the Senate of the University, the District Boards and the Union Boards. There may be two alternatives for election—firstly the number of members (for instance, 17 have been tentatively suggested for Bengal in the Upper Chamber) may be distributed among the constituencies and secondly, all the constituencies taken together may be taken as a unit and they may be asked to elect the requisite number of members. Any elector to the Lower Chamber should be qualified to stand as a candidate for the Upper Chamber.

44. Regarding the representation of women in the Federal Legislature we would like to point out that as in the case of provincial councils, women have been recommended for concessions in respect of franchise qualifications, they may be regarded as entitled to the same in regard to the Federal Legislature. The franchise qualifications of men for the Federal Legislature should also apply to women of full age. Moreover, it may be added that married women of 25 years of age would be qualified to vote for the Lower Chamber if their husbands are voters.

45. It was also suggested in the first Round Table Conference that to ensure the election of women members in the legislatures, there should be earmarking of some seats for women (at least 5 per cent.), in the first three elections after which they would be able to hold their own against men. But in the second Round Table Conference, Mrs. Sarojini Naidu and Mrs. Subbarayan on behalf and in the name of the principal women organisations in India and in accordance with their expressed desire in the Memorandum submitted to the Round Table Conference urged that women had no mind to beg for special and favoured seats in the Legislatures and that they would come, as they are sure of coming, in the same way as men. In view of this contention it would be only to respond to the women's demands if we urge for the removal of sex-disabilities for the poll or for the legislature.

46. In regard to the representation of landholders, labour and depressed classes in the Federal Legislature we abide by the observations we have taken the liberty to make in connection with their respective representations in the Provincial Legislatures. The proportion of seats for special interests and the particular House in which they would be represented—all these questions come within the purview of the Minorities and Federal Structure Sub-Committees and we reserve our remarks thereon for a later occasion.

The Questionnaire issued by the Franchise Committee and Replies thereto.

1. EXTENSION OF FRANCHISE.

(*a*) The existing franchise for the provincial legislature could be extended to include 10 per cent. of the population in the electoral roll by lowering the property qualification, introducing literacy test as an independent qualification and enfranchising married women who have or had husband voters. (*Vide* paragraphs 9, 10, 11, 12, 13, 14 and 15.)

(*b*) It is believed that the electorate, as recommended, would be capable of casting an intelligent vote. (*Vide* paragraph 18.)

(*c*) Such an electorate would be administratively feasible because there would be no difficulty in recording the names of tax-paying citizens, literates who would be asked to produce their certificates and of married women of qualified age who have got male voters as husbands.

(*d*) The question does not arise.

(*e*) It is not desirable to enlarge the electoral roll beyond any reasonable extent under the present circumstances of the country which has not reached fulness in political consciousness, educational progress and economic solvency. Accordingly we have suggested that at least 10 per cent. of the population should be enfranchised. (*Vide* paragraph 14.)

(*f*) We favour the separation of the urban constituencies from the rural constituencies and also the introduction of indirect election, call it the group system or the Mukhi system, in the rural areas only and not in the urban areas. We do not favour the separation of constituencies for group voters and directly-qualified voters. In the event of the introduction of indirect election in the rural areas, it would be not an act of injustice even if the property qualification is not considerably relaxed in the rural areas. (*Vide* paragraphs 19, 20 and 21.)

(*g*) The question does not arise.

(*h*) Indirect election is preferred to avoid the creation of unwieldy constituencies and the bringing in of undeserving people in the electoral roll. But it must not be forgotten that wholesale indirect election is not favourable to the growth of representative institutions which are advocated and created as a conscious means of political training among the citizens. We have accordingly favoured indirect election for those not directly enfranchised—throwing thereby opportunities for coming into touch with the opinion of those "inarticulate adults". But the adults who are supposed to be capable of exercising their votes intelligently should on no account be disbarred from direct voting simply on the plea of administrative convenience. We feel that the extension of indirect election to all adult voters confining the electorate for all constituencies to secondaries chosen by groups of primary voters would not be an act of justice to those intelligent adults who should have direct touch with the legislatures. We are ready to support restricted franchise if a case is made out that intelligent voting cannot otherwise be ensured because what we aim at is intelligent voting. We feel and know that in a vast country like ours having 1,094,300 sq. miles with a population of 247 millions and in a country which suffers from poverty, illiteracy and defective transport, adult suffrage is impracticable and as a compromise we have favoured direct election to those who are expected to understand the utility of franchise and indirect election to the rest. But in the case of wholesale indirect election, the spirit of representative institutions is lost for some extraneous convenience.

But our answer to the question (*h*) is based on the assumption that every provincial unit will have a centralised administration as it is at present. If the provincial council be the regulating centre of every nation-building activity, it is quite in the fitness of things that the people should claim a direct vote. But if the administrative machinery goes through a definite process of decentralisation making the local bodies such as Municipal Corporations, District Boards, Union Boards, etc., not only autonomous but the guardians of all nation-building activities under the supervision, superintendence and control of the provincial Cabinet, then there may be sufficient reasons for advocating indirect election under the peculiar circumstances governing our country. But all these questions not being within the competence of the Franchise Committee, we are at a great handicap to discuss the system of primary election to all adult voters leading to secondary election for all constituencies. One must be aware of the powers and functions of every legislative unit before he can be asked to give free and unfettered opinion on the franchise qualifications of the electorate thereof—especially when the questions of the abolition of all existing qualifications for voters and of the substitution of indirect election to all adult voters confining the electorate for all constituencies to secondaries chosen by groups of primary voters arise.

Memorandum by the BRITISH INDIAN ASSOCIATION. [*Continued.*

In short, in the case of provincial units being run on centralised and unitary model, we would advocate, as we have, direct election for urban areas and direct election *plus* indirect election for rural areas for reasons already explained but in the case of local bodies being given self-governing status and comprehensive nation-building programme, we would rather advocate indirect election for the provincial legislatures because in the latter case, the primary voters would not lose considerably as they would be able to influence the local bodies that would really matter in the work of nation-building.

In the case of the Legislative Assembly we do not see the reason of introducing primary voters and secondary voters because we are in favour of high and restricted franchise qualifications for the electorate of the Assembly and in that event there is no need to experiment with group election.

(*i*) Supposing, indirect election is introduced we stick to our recommendation that the size of a group may be of 20 adults, including men and women. In Bengal there are 23 millions of adults and the group if made of 20 persons, would number 1,150,000. If the Bengal Council is given 200 seats, one member would on an average be elected by 5,750 thousand headmen. From the administrative standpoint, these group voters are manageable; the election muddle and election expenses would be considerably reduced.

The local bodies should be charged with the duty of framing groups.

(*j*) To give the primary voters unfettered choice, there should be no restrictive qualifications for those headmen who would form the electorate for the council. It is expected that the headman would be better qualified than the primary voters and in that event any restrictive qualification would, far from improving the situation, merely handicap the choice.

2. FRANCHISE QUALIFICATIONS.

(*a*) The disparity has resulted from the fact that in the urban areas, people have rental qualifications to take advantage of but in the rural areas, there is the tax-paying qualification. Moreover, there is greater poverty in the rural areas than in the urban areas. To rectify such disparities, we have favoured the " Mukhi System " in the villages. (*Vide* paragraph 19.)

(*b*) We do not approve of the suggestion as the tendency to lower the franchise basis with a view to reflect the population strength of each community in the electoral roll is likely to affect the quality of voters which should not be subordinated to any other consideration. (*Vide* paragraph 26.)

(*c*) We favour that that there should be some sort of property qualification. The existing property qualification might be so lowered as to enfranchise all the voters of the local bodies.

(*d*) We are in favour of introducing literacy test as an independent qualification. The literates in English or those who read up to the fifth standard should surely be enfranchised. But we are not convinced of the wisdom of making the fifth standard of H. E. Schools or literacy in English as the minimum basis of literacy test. In that event, the people learned in vernacular institutions or Sanskrit tols are excluded. We favour a test which makes no injustice to any group. (*Vide* paragraph 25.)

(*e*) We are in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial forces.

3. WOMEN'S SUFFRAGE.

(*a*) We are in favour of increasing the women's electorate. They will have all the terms of men such as property and educational qualification and added to them, the wives and widows of qualified age (25 and not 21) of men qualified to vote should also be enfranchised. In the Mukhi system, there should be no separate group formed for women; the group should contain men and women. (*Vide* paragraphs 21, 22, 23 and 24.)

Memorandum by the BRITISH INDIAN ASSOCIATION. [*Concluded.*

4. DEPRESSED CLASSES.

We consider that the Depressed classes will greatly profit by the general extension of franchise and they would be able to secure representatives of their own choice in the general electorates. It has been found that the Depressed classes have situational compactness which confers unique advantages in the election of representatives. (*Vide* paragraphs 31, 32 and 33.)

5. REPRESENTATION OF LABOUR.

If the franchise basis be a restricted one and the adequate representation of labour be not possible we favour its representation through trade unions. We recommend this measure for labour where it is or can be organised as in industrial areas. We do not include agriculture labour. (*Vide* paragraph 34.)

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS.

(*a*) We agree that the representatives of British Indian Provinces in the Upper Chamber should be indirectly elected. (*Vide* paragraph 43.)

(*b*) The franchise qualifications ought to be different for the Federal and Provincial Legislatures. (*Vide* paragraph 41.)

(*c*) We favour direct election to the Lower Chamber and also separation of the rural constituencies from the urban ones. We recommend the same group election for rural areas even to the Lower Chamber as we did in respect of Provincial Legislatures. There is no doubt that the constituencies would be large but in the event of indirect election for rural areas the largeness of areas would present no insurmountable difficulties. In the event of 32 representatives from Bengal in the Lower Chamber, the city of Calcutta can claim 4 seats and the urban areas of the five divisions can claim 12—the rest 16 being distributed among rural areas. If 3 millions of people live in the towns of Bengal, Calcutta claims one million. If there are 4 seats for one million, the standard unit of population for each member becomes 250,000. If there are 12 seats for the other 2 millions, the standard unit of population for each member becomes roughly 166,000. In the city of Calcutta and other towns, the areas may be large compared to the areas of other modern countries, but they are not unmanageable in view of the fact that the means of communication is not so hopelessly unsatisfactory as in the villages. As far as the rural areas are concerned, Mukhi system would obviate many of the difficulties, due to large areas. Before the Reform Act of 1918 in Great Britain, the Speakers' Conference recommended that each vote recorded should as far as possible command an equal share of representation in the House of Commons and they took the standard unit of population of each member at 70,000 in Great Britain and at 43,000 in Ireland. All those meant that in the distribution of constituencies, the governing principle should be population and not area in square miles—a principle which we favour and recommend. (*Vide* paragraphs 40 and 42.)

REPRESENTATION OF SPECIAL CLASSES.

(*a*) We make the same suggestions as we have with respect to the representation of special interests in the provincial legislatures. In the case of women, married women of 25 of husbands who have or had votes for the Legislative Assembly would be enfranchised. In the case of labour, representation would be made through labour unions. In the case of Depressed classes, we are not in favour of extending separate representation which might disintegrate them from Hindus. (*Vide* paragraphs 44, 45 and 46.)

Memorandum by the BRITISH INDIAN ASSOCIATION. [*Continued.*

II.

Letter No. 1079, dated 19th February, 1932, from Mr. Profulla Nath Tagore and Mr. Surendra Nath Law, M.L.C., Joint Honorary Secretaries, British Indian Association, Calcutta.

In continuation of this office letter No. 1075, dated the 10th February, 1932, we are directed to submit herewith the replies to the Addenda to the questionnaire issued by the Indian Franchise Committee with a request that the same may be placed before them for favour of their consideration. On a careful consideration, we have thought fit to supplement the recommendation made in paragraph 36 of the Association's Statement with the following:—

"But if it is not possible for the Franchise Committee to recommend the claims of the landholders to send their representatives to the different legislatures by indirect election through their Associations they would prefer maintenance of the existing system of direct voting. If the present system of election is continued, in order to enlarge the electorate the qualification to be electors in the landholders' constituencies should be reduced by 50 per cent. as regards payment of land revenue—the cesses remaining the same."

In this connection it may also be pointed out that the existing proportion of the landholders' seats should be maintained in the enlarged legislatures, and the increase in the number of electors due to lowering of qualification should also be taken into consideration in fixing proportion."

We beg further to point out that our representatives, while giving evidence before the Indian Franchise Committee, also suggested that in case pocket constituencies were not created for the landholders, "they would prefer maintenance of the existing system of direct voting" with reduced qualifications and increased seats.

4. The term "depressed class" is a nomenclature which does not admit of any specific definition. At best it may be said to be a concise descriptive terminology, frequently and conveniently used as an expressive term to denote those who in the economy and adjustment of social life among the Hindus stand low in the order of excellence and as such are not entitled to exactly the same religious privileges which a Hindu belonging to the four higher orders are entitled to. The term originated with the early missionaries in India who found the ranks of this class as responsive recruiting grounds for their activity. From them the term was borrowed by a class of historians with more of politics in them than of history for the purpose solely of creating a breach between one Hindu and another. As used by them and others, the term is no doubt used very generally but to the Hindus it conveys no meaning. As a matter of fact, Hindu communities are divided into innumerable sub-castes and some of the backward sub-castes have been put under the section "depressed class",—a position which is not tenable. If disabilities provide a ground for a forced disintegration in the fold of Hinduism, every sub-caste will have its own peculiar grievances to urge. That, however, can never be set up as a reason why some of the sub-castes now put together should be set up against others or one against the other. There is no doubt that there are untouchables among the Hindus but in the matter of electorate and representation it would be unwise to segregate them from the general body of the Hindus.

5-A. We agree with the retention of representation of special interests. As regards the representation of the university, our suggestions are embodied in paras. 37, 38 and 39 of our Statement. As regards the representation of Commerce, the existing arrangement is not unsatisfactory. Indian Mining Association sends one member to the Council and thus Mining is represented. This representation may be made to combine the Mining Federation also.

As regards the representation of labour, there arise some difficulties. The trade union movement in Bengal is in its infancy. Labour, moreover, is not well-organised. Constituted as they are, trade unions are managed and

controlled by politicians whose interest in labour problems is neither abiding nor vital. Moreover, industrial labour in our country is a kind of floating population whose contact with the villages is never entirely given up and accordingly it may be asserted that there is no homeless Indian. It may sound paradoxical, but none the less it is true. On principle we wholeheartedly approve of industrial labour being represented in the legislatures as would be found in para. 34 of the Statement, even though obvious difficulties exist in the matter of labour representation. Labour in India is migratory and especially labour in Bengal where they are recruited from outside the province. If industrial labourers are tried to their respective villages in more ways than one, it is natural that they do not become genuine labourers giving rise to a need of their effective representation in the legislatures. When the labour movement becomes genuine, and labour unions become really representative and recognised and powerful, and industrial labour, cut off from the villages grows up round a factory—they should deserve effective representation in the legislatures. They may then be said to have formed a separate community of their own with a community of interest and stake which must be watched and protected by none but their own men.

We have advocated pocket-constituencies for the landholders (as would be found in paras. 35 and 36 of the Statement) whose importance in the body-politic is undoubted. The reasons for the special representation of landlords in the legislatures are put in in the Statement on the Recommendations of the Indian Statutory Commission by the landholders of India (pages 43—47). In case, the pocket-constituencies are not created for the landholders, we would like to see the franchise qualifications in the Landholders' Constituency reduced in respect of land-revenue by more than 50 per cent.—the cesses remaining the same.

C. (3) We are not in favour of the reservation of seats for women as would be found from para. 45 of our Statement. As a temporary measure, however, we approve of the idea of co-opting women members. We desire and wish that women should have every encouragement and facility to come into the legislatures and where they fail to come in through the door of general electorate, it is desirable that a few women members should be co-opted. Accordingly, as a temporary measure, we favour the co-option of women members not exceeding 5 per cent. of the seats by a system of proportional representation and if any women members are returned to the Councils, co-option should only be resorted to make up the balance of 5 per cent. and not otherwise.

Deputation from the British Indian Association.

Mr. JYOTISH CHANDER BHOSE,
The Hon'ble Raja BIJOY SINGH DUDHORIA of Azimganj,
The Hon'ble Lieut. S. C. GHOSE MAULICK,
Mr. AMULYADHONE ADDY,
Kumar SURENDRA NATH LAW, M.L.C.,
Mr. PROBHA NATH SINGH ROY,
Mr. PROFULLA NATH TAGORE.

1. *The Chairman:* Mr. Jyotish Chander Bhose, are you the spokesman on behalf of the British Indian Association?—Yes.

2. Will you tell me what the association stands for?—It is composed mostly of the prominent landlords and other prominent persons in this and other provinces also. It stands for their interests.

17th Feb. 1932.] Deputation from the BRITISH INDIAN ASSOCIATION. [*Continued.*

3. What is the membership of the association?—(*Mr. P. N. Singh Roy*): About 200.

4. How many landholders would there be in the province of Bengal altogether?—About 900 who claim to be electors, I think.

5. How do you define landholders? You mean large landholders?—Yes.

6. Have you any definition in your rules as to what type of landholders would come under the term 'large landholders'?—By large landholders is meant people paying Rs. 4,500 revenue and upwards. Rs. 4,500 is the minimum.

7. It is very clear from your statement that your association represents the views of the large landholders of Bengal. Does it include small landholders?—Of course, it includes small landholders also.

8. I see that you favour the extension of direct franchise and you want to supplement it, as proposed in the Round Table Conference, by the group system, as well, so as to cover the whole population. Is it not so?—In those cases where there is no direct franchise, we favour the group system.

9. I see you also favour the extension of women's suffrage—Yes.

10. Now will you come to your own special interest? You are not satisfied with the manner in which the landholders' constituency is represented in the Council to-day. Will you explain exactly in what respects you are dissatisfied with the present method?—We want larger representation and voice in the Council.

11. You do not find any reason why the landholders cannot be represented by the different landholders' organisations in the country and you go on to suggest that they are organised in the same way as the Chamber of Commerce and so on. Can you explain your position more fully?—We want that the different associations of landholders may be taken as representing them and their interests.

12. What is the method of your representation as it exists to-day?—The landholders are grouped together into a constituency. They elect members to the Council. That course may be adopted. Or in the alternative we suggest that landholders' associations may be given the right to elect from among themselves.

13. How many members have you got in the Legislative Council to-day representing your interests?—Five.

14. I understand that the landholders are grouped together and elect members now. What exactly do you want the position to be in future?—We want that in future we should be chosen by our associations, pocket boroughs and so on.

15. Do you mean to say that the British Indian Association with its 200 members should itself elect 5 members?—It may return members as the Chamber of Commerce now does. With your permission, may I say, Sir, that the British Indian Association does not now send any member to the Bengal Legislative Council. There is a special electorate for landholders consisting of those who pay Rs. 4,500 revenue and Rs. 1,100 cess. This special constituency sends representatives to the Council. It is something like a general constituency with restricted qualifications. But we want that in future members may be sent by the different associations of landholders, so that we can get pocket boroughs from whom our members may be elected by our own men. Certainly some property or tax-paying qualifications may be suggested. As labour and industrial organisations claim special representation in the Council in the future constitution, we too claim similar representation.

16. *Sir John Kerr:* Do you propose that the representation of the British Indian Association should be in addition to the existing landholders' constituency?—No, Sir. What we say is that the different landholders' associations may be allowed to send their own men through their own units. That is our suggestion.

17. You propose that the present landholders' constituencies should be abolished?—If these associations are given proper status and representation in the Council from themselves, the present constituency may be abolished.

18. What are those different associations you speak of?—There is for instance, the North Bengal Landholders' Association, the Bengal Landholders' Association, the British Indian Association, the Dacca Landholders' Association, the Dinajpur Landholders' Association, etc.

19. These are all private associations?—Yes, Sir. They are not recognised. If by 'private' is meant that they are not recognised under the Act, then they may be called private associations.

20. They have no legal status?—No legal status in the sense that they are not recognised by the Government.

(*Mr. Amulya Dhone Addy*): May I speak, Sir. I am one of the representatives of the British Indian Association.

21. *The Chairman:* Is it on this point?—Yes, Sir. We want to have two systems of election, direct and indirect. For the lower chamber of the Bengal Legislature and the lower chamber of the Federal Assembly we want to have direct election. We also want to have indirect representation through special constituencies of landholders. Take the case of the British Indian Association. It was established 80 years ago and consists of the leading landholders of Bengal similar to the Bengal Chamber of Commerce which represents European Commerce and the Bengal National Chamber of Commerce which represents Indian Commerce. Our association represents the landed interests. Bengal Landholders may be represented in the upper chambers both in the Central and the Provincial Legislatures.

22. *Sir John Kerr:* Only in the Upper Chamber?—Yes, Sir.

(*Mr. P. N. Singh Roy*): We want representation both in the upper and lower chambers. That may be his individual view, but is not the view of the association.

23. *Sir Zulfiqar Ali Khan:* You, Mr. Singh Roy, said that there are about 900 landholders in the province of Bengal and that the British Indian Association contains only 200 members, is it not so?—Yes.

24. And for this association you want the right to send members to the Council?—Yes.

25. What about the other 700?—They will be represented by other associations which have been already mentioned by me.

26. *The Chairman:* Do I understand you to say that all these associations should be grouped together (like the Chamber of Commerce) for electing representatives? Is that what you propose?—Yes. But they will have separate identity. Some seats may be allotted to particular associations according to their membership.

27. *Lord Dufferin:* How many representatives do you propose to be elected by all these associations?—They may be given representatives in proportion to the number of members.

28. *Dr. Ambedkar:* How would you like to distribute your quota among these associations?—According to their strength.

29. *Sir Zulfiqar Ali Khan:* How many do you want for your association?—We want three representatives for our association.

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30. Do you want that these 200 members should form a constituency?—Yes.

31. Is there any idea among you to amalgamate all the associations belonging to the landholders?—No, Sir. There is no such idea. We may meet, discuss and exchange our views, but we are not going to amalgamate.

32. *Sir John Kerr:* You have mentioned some landholders' associations. Are their names registered in the Government records?—As regards the British Indian Association, I can say, Sir, that it is recognised by the Government. Even under the Minto-Morley reforms it had the privilege of sending one of its representatives to the Bengal Legislative Council.

33. What is the advantage of taking representation away from the landholders' constituency at present, and giving it to these various associations?—That will increase community of interest among landholders' and we will have better solidarity in the future. At present they are all scattered among different associations. If we get our own representatives elected from these units, then certainly more members will come to our associations and we will have increased strength and community of interest in that way.

34. *Sir Zulfiqar Ali Khan:* Is your association a registered body?—No compulsory registration is provided for in this country. We have no such public bodies registered in this province.

35. The Chamber of Commerce is registered?—That is different. Our association is also recognised by the Government.

36. *Sir Sunder Singh Majithia:* Would you have your central association registered under Act XXI of 1860?—It is very difficult for me to answer that question. We may join together and form an association and register it under that Act. But before we answer that question we should consult other associations.

37. What I mean is that charitable and other institutions are registered under that Act, and they get a legal status. What objection have you got to getting registered?—We have no objection whatsoever, but we cannot say what the others would do.

38. The difficulty arises when you are going to distribute seats among these associations. But if you have a central association and other associations are affiliated to it, that difficulty would not arise. So would you agree to the central association being registered?—We for ourselves have no objection to that.

39. Then supposing you want to distribute the seats among the different associations, have you thought of any method as to how this distribution is to be carried out?—They should be distributed among the various associations according to the importance of each.

40. Is that importance to be determined by the membership?—Yes.

41. What is the total number of representatives that you would have in the legislature for all these associations?—We want about 15 seats. There are five seats for us now. If the general constituencies are trebled we also want our membership for the landholders to be trebled in the Council so that we can get the same proportion.

42. So, out of 200 you would like to have 15 seats and you would like to distribute them among the various associations?—I want proportionate representation only.

43. *The Hon'ble Mary Pickford:* You say in your answers to the questionnaire on women's suffrage that you are in favour of increasing the women's electorate and you agree to the proposals for increasing the number of direct voters among women. You do not say in regard to the group system that there should be separate groups for women. Do you think that your proposal would increase the women's electorate, and don't you think that mixed

groups would tend to select men?—For the time being there may be difficulty, but in course of time that defect can be cured.

44. May I know what your special reason was for advising that there should be mixed groups?—Because if we divide the female population into separate groups (female groups alone), there will be complications in the system of elections. But if you have mixed groups, there will be mutual confidence in future.

45. Is it for administrative reasons that you advise mixed groups?—Not only for administrative reasons, but also that there should be mutual confidence in course of time between the two sets of electors.

46. *Mrs. Subbarayan:* May I draw your attention to a slight error that has slipped into paragraph 45 of your memorandum? It is stated therein: 'But in the Second Round Table Conference, Mrs. Sarojini Naidu and Mrs. Subbarayan on behalf and in the name of the principal women organisations in India and in accordance with their expressed desire in the Memorandum submitted to the Round Table Conference urged that women had no mind to beg for special and favoured seats in the Legislatures and that they would come, as they are sure of coming, in the same way as men'. I would point out to you that Mrs. Naidu did submit that memorandum and it was supported by Begam Shah Nawaz, but I put forward the proposals that I had put forward the previous year.—I am sorry that the mistake crept in.

47. I would like to know whether your opinion is based on that opinion?—That is our own opinion. We did not base it on what is mentioned by us in paragraph 45.

48. Do you support the suggestion that there should be special provision in the statute to ensure the presence of women in the legislature?—We do not want reservation of seats for women, but we certainly think that women should come to the Councils. If they cannot come through the general constituencies, we suggest that a system of co-option may be adopted.

49. That was the proposal put forward at the Round Table Conference?—We also suggest that if they do not come in through the general constituencies, they may be co-opted by members of the legislature.

50. *Sir Ernest Bennett:* In your statement you suggest extension of franchise on literacy qualification. What is the test of literacy?—As suggested by the Indian Statutory Commission, a certificate may be required to be produced from the school or from an authorised person that the person studied up to the fifth standard.

51. *Sir Muhammad Yakub:* You say that 'in the Presidency of Bengal the restricted franchise has prejudicially affected the Muhammadans because as a community they are less fortunate than their Hindu brothers. In the Roll of the rural electors for the Legislative Council, the Muhammadans are only 48·8 per cent., although they form not less than 55·3 per cent. of the rural population of Bengal'. In order to remove this disability don't you think that the franchise qualifications should be so regulated that the numbers of Mussalmans and other communities should come on the electoral rolls in proportion to their population?—We do not agree to that view completely. But up to this we agree, that on the adult population basis we can accept the recommendation.

52. Do you agree that the franchise qualification should be so regulated that the number of the communities on the electoral rolls should be in proportion to their population?—Yes, taking only the adult population.

53. If the direct elections are altogether abolished in Bengal and indirect elections are substituted altogether, what would be the general

feeling of the people of Bengal? Would they like it?—No. They will take it as a retrograde policy.

54. Why do you want separate representation for your associations?—Because of our importance in the country and in the provinces; because we have the largest stake in the country, the largest area under our control and the largest number of people under us, and we pay the largest revenue to the provincial exchequer.

55. Do you think that your interests will not be safeguarded or will not be served if you do not get separate representation?—It is natural that special interests cannot be represented by the general people, because in that case everybody's business will be no-body's business (Laughter).

56. You think that because you are in a minority your interests will not be safeguarded?—We do not think that because we are a minority, but we are a special class and on that ground we want representation. We do not want representation simply on the ground that we are a minority. We want it because our special interests are to be safeguarded and looked after. We want it also on account of the special importance of our community in the body politic and in the province.

57. May I take it that it is not only the minorities that require representation but also the majorities, though it may be under certain conditions?—That question does not arise here.

58. That is my question for which I want an answer. You said you are not a minority but represent the majority, is it not so?—I said that I would not claim representation on the ground of our being a minority. The question of minority and majority does not arise at all. I said that for my special interest we should get representation.

59. You think that all special interests in India should have separate representation?—If it is given to all special interests, certainly the landholders should also be given similar representation.

60. *Mr. Butler:* I understand that you favour equal representation for rural and urban areas and therefore you base your recommendation on a territorial basis, is that so?—Yes.

61. You say in your memorandum that for direct election the qualification should not be considerably relaxed. That means, in rural areas you would leave the direct voters very much as they are now?—Yes, but we added the educational qualification also.

62. And so, in rural areas you advocate a system in which there will be only a few direct voters and the indirect voters coming by the group system?—Yes.

63. In your remarks about labour, you mention Major Attlee's recommendation regarding adult suffrage for industrial areas, do you not?—Yes.

64. Do you know that your answer goes against that recommendation? —We do not favour representation of industrial areas as recommended, because there are no special areas like that which require to be represented. Labour organisations have not grown sufficiently in this province. It will require some time for them to grow up.

65. *Dr. Ambedkar:* Does your association contain only Hindu landholders or Muhammadans also?—There are Muhammadan landlords too.

66. How many? There are not many. Can you mention some of the names?—I can name the Hon'ble Nawab K. G. M. Faroqui. He is one of our Muhummadan members. The late Nawab Sir Sallimulla of Dacca was one of our members.

67. Can you just tell me exactly what is the percentage of Muhammadans in your association?—It is difficult to say that now offhand.

68. Would it be a correct statement if we say that it is a sprinkling of one or two?—I do not exactly agree there. I do not say whether it is correct or incorrect. But I may submit, Sir, that the door is open to any Muhammadan gentleman to come in as a member. We do not object to it.

69. As a matter of fact, they are not coming?—There were some members who had to leave the association. For instance, there was the late Nawab Bahadur Nawab Ali Choudhury, who left the association on being appointed a Minister to the Government of Bengal.

70. Why do you think you will not be able to poll a sufficient number for your representation, from the general constituency? You said you are an important class and wanted representation on that ground, that your importance is due to the fact of your paying more revenue to the Government and your controlling a large mass of the people. That being the case, your association ought not to find any difficulty in getting elected to the Council in the general constituency?—I do not agree to that view, because the landholders' interests and the interests of the agricultural cess payers are quite different. When the landholders are elected by the general constituencies, they owe a duty to their electors. They for their own cause cannot go against the interests of their electors.

71. In other words, you want full-blooded representation undiluted by any consideration of the general electorate or the tenantry composing it?—If you think that commerce, labour and other interests can have separate representation we think we should certainly have it. We will have full-blooded representation.

72. There are no difficulties which in your case will act as a handicap?—Even if we are elected by the general constituency, when they see that we go once against their interests, they will not elect us any more.

73. Supposing some of you were enlightened enough to have an accommodating spirit and will take care of their own as well as others' interests, will not such people be elected?—Those who are accommodating in that way will not truly serve the landholders.

74. So you do not want such landholders even?—Yes, they can come in through the general electorate, but will not be real representatives of the landholders.

75. Coming to paragraph 32 of your statement regarding the depressed classes, you more or less admit that the depressed classes have certain disabilities and you also say that there is a narrow chasm that separates the depressed classes from the caste Hindus. Having regard to the statement that you have made that there are certain disabilities and also that there is a narrow chasm that separates the depressed classes from the caste Hindus, you don't wish to make any provision for their special representation. You would leave matters to time?—That is our view. The reason why we do not want to make that recommendation is that the word 'depressed classes' is a misnomer. That term has no real meaning. There are innumerable castes and sub-castes, there are about 60 under that head, who will claim representation. If you give special representation to the depressed classes you will have to give it to all of them separately. Because a Santal, for instance, will not represent a Mehtar and a Mehtar will not represent a Chandal or any other caste under that head.

76. I follow the trend of your argument, but let me put this question. Supposing, for instance, a certain amount of representation was given to the landholders and you had a composite constituency, some Muhammadans and some Hindus, and suppose a Muhammadan was returned to represent-

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the landholders' constituency, do you think that the Hindus in that constituency would feel satisfied that they were represented?—They will be quite satisfied.

77. Why not the other?—From our practical experience we find that so far as the landholding interests are concerned, the Hindu and Muslim interests are not separate.

78. They are separate?—No, I do not agree.

79. Socially they are separate?—Yes.

80. Socially there is a distinction between the two communities?—It is a nominal distinction. But as regards the landholding interest there is absolutely no distinction.

81. I am talking of the social distinction. They are two distinct classes and communities. In the same way the depressed classes are a distinct community?—No, not in that light.

82. What is the distinction you draw?—It is a nominal distinction.

83. A Muhammadan landholder certainly would not marry a Hindu landholder?—Certainly not.

84. A Hindu landholder would not dine with a Muhammadan landholder?—It is useless to put that question.

The Chairman: What is the proposition?

Dr. Ambedkar: The point I am trying to get at is this. The gentleman says it would be no use giving special representation to the depressed classes because the depressed classes are divided into so many castes. My submission is that supposing there is a composite constituency would the Hindu landholders regard a Muslim as their representative?

85. Supposing there was a depressed class man, would you exclude him from the membership of your group?—No.

86. Supposing he was elected, would you regard him as your representative?—Certainly. Why not if he is elected?

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87. Do you regard yourself as the most stable element in the constitution?—Yes.

88. And that is why you think that the people would not elect you?—Yes.

89. *Mr. Chintamani:* You think that the landholders are more interested in stable government than other sections of the community. Why do you think like that?—Because they have the greatest stake in the land.

90. People who are not landholders have no stake?—I only meant that they have the greatest stake.

91. That is to say, more interested in a stable government than others?—Yes, they have the greatest stake in the land, and hence they are interested in a stable Government.

92. I want to know whether there would be many cases of landlords elected by general constituencies going against landlord interests?—No. There have not been many. But the difficulty would be in the future. Those gentlemen who for their own interests would go against the interests of the general electorate after being elected by it, would not be re-elected.

93. Your suggestion is from your past experience?—There were cases in Bengal in the past where landholders supporting landholders' interest having been elected from the general constituency were not elected again.

94. You have admitted that there are not many cases?—No.

95. Has there been any serious difficulty in the Legislative Council between the landholders elected by general constituencies and landholders elected by landholders' constituencies on landlord questions?—No. I say that the people who support the landholders' cause after being elected from the general constituency will not be returned in future.

96. Your suggestion is based upon the future?—Yes.

97. *Mr. Miller:* You are in favour of retaining the existing military service qualification?—We want to maintain that just as it is at present and include service in the Auxiliary and Territorial Forces.

98. Do you think there is the likelihood of persons joining for the purpose of getting the vote with no intention of undertaking service obligations. Will they merely join to get the vote and not carry out their military duties?—No.

99. *Mr. Tambe:* Are you in favour of adult franchise as a goal?—Yes.

100. You are referring to some 'undeserving' people coming on the electoral roll. Who are they?—'Undeserving' in the sense that they are qualified in no way.

101. There would be no question of qualified and unqualified when you give them adult franchise?—That is our goal. We do not adopt that immediately.

102. You want to have indirect election at present in order to keep out the 'undeserving' people?—No. 'Undeserving' means illiterate persons or persons not otherwise qualified.

103. You want to have literate persons elected in the primary elections?—Yes.

104. Those who have no literacy qualification?—We can take some of them.

105. Would you reserve the election by primary groups to persons who are literate?—Yes, that we have mentioned already. Those who have those qualifications may be elected.

106. Are there any women zamindars on your roll?—Not many.

107. What is the present number of landholders?—I think about 900.

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108. Will you accept the principle that the landholders' interests should also be represented in proportion to their adult male population?—No.

109. You consider that, in their case, representation more than in proportion to their adult population is necessary?—Yes.

110. And therefore when you make a distinction between Hindus and Muhammadans and say that they should go by the adult population you do keep place for other factors to come in?—Yes.

111. Are you generally agreed that the time has come when the franchise should be extended?—Up to a certain limit.

112. Then, taking your own interest particularly, why do you want that the 900 landholders should immediately be disenfranchised and be represented only by the organization?—Because that number will not include all the landholders and for the reason that it will increase the community of interest. I think we have answered that question.

113. May I tell you that in that case certain landholders would join the cause of the tenants?—That is a suggestion which I cannot accept at all.

114. You have admitted that in future the interests of the people will be in conflict with the interests of the landholders?—I have not admitted that. I never said that the interests will be in conflict. I said that the persons who will be elected by the general constituencies will have some duty to perform to the electorate, and will have to look after their interests, and not be guided by their own interests or look after their own interests.

115. And these duties will come in conflict with your own interests?—May come. I can't say exactly that.

116. The reason why you are not likely to come in, in future, you say, is because you form a stable element?—I will repeat my answer. The reason is this. We think that those gentlemen who have got the greatest influence over the people, may for the present be elected by the general constituencies, but in future when they act against the interests of the general electorate they will not be re-elected, and thereby the landholders will lose their representation in the council if they are given representation only through the general constituencies.

117. Supposing special representation to landholders is granted, will these landlords go and fight in the general elections also?—Why not?

118. You want special representation and in addition you will fight in the general constituencies?—It cannot be said that we are claiming something extraordinary. That is also the case with the Universities.

119. *Major Milner:* Assuming that other interests have special representation, you are in favour of having labour representation through an electoral college composed of trade unions?—At present we are in favour of the suggestion, no doubt; but there are no recognised and proper trade unions.

120. Supposing there were properly constituted trade unions?—If they are recognised, certainly we are in favour of that.

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121. *Diwan Bahadur Ramaswami Mudaliyar:* Adults who are supposed to be capable of exercising their votes intelligently should on no account be debarred from direct voting?—Yes.

122. You further think that the spirit of representative institutions will be lost for some extraneous convenience—I am putting it in the words of your memorandum,—if pure indirect election with adult suffrage were to be introduced?—Yes.

123. As regards the Federal Legislature you have said that 32 representatives from Bengal should be elected, 16 by urban areas and 16 by rural areas. We are not considering the question of distribution of seats, but as the question of rural representation as opposed to urban representation has been raised, I want to know what is your justification for saying that 50 per cent. of the constituencies should be urban and 50 per cent. should be rural?—The reason is that the vast population is in the rural areas and therefore they must have proper representation. In order to give them proper representation we suggest that 50 per cent. might be given to them.

124. Why have you suggested an equal number of seats for the urban area?—That is according to their education, according to their intelligence and according to their wealth they should be given that number of seats.

125. You think that is a fair division between rural and urban areas?—Yes.

126. In answer to Dr. Ambedkar you said that among the depressed classes there were many castes and one could not represent the other?—No, it could not.

127. Whereas in the case of the landholders, whether Hindus or Muhammadans, there is a community of interest. In the case of the depressed classes, where social degradation is the basis of the community, there is not that community of interest and each separate depressed class thinks that it is superior or inferior to the other?—Exactly. In the case of a Zamindar, whether he be a Hindu or a Muhammadan, his ultimate object is to look after the interests of the zamindars. He will represent the zamindari interests alone. But in the case of a *Mochi*, or a Mehtar or a Chandal he will represent his own social interest. There the social interest is different.

128. And the purpose of that special representation is really to improve their social status?—The gulf will be widened by special representation.

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129. *The Hon'ble Mr. B. P. Singh Roy:* You said that you wanted representation for your association and other associations. Supposing it is not possible for Government to agree to your proposal, would you be content with the existing arrangement?—Certainly.

130. Your main idea is to have additional representation for your association. You don't want to substitute but to supplement the existing system?—Yes. We have no objection to the existing arrangement provided the number of seats is increased and the qualification of electors is lowered.

131. Do you admit members of the Teli community into your association?—Yes, we do. The present President of our association, Maharaja Sris Chandra Nandy of Kasimbazar, is a member of that community; his father the late Maharaja Sir Manindra Chandra Nandy of Kasimbazar was also president of our association. So, you see, Sir, that they are in our association, not only as members but holders of high and important offices.

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132. Have you got Subarnabaniks in your association?—Yes, I can name Raja Reshee Case Law, C.I.E. He is a member of our association and was for some time its president. His son Kumar Surendra Nath Law is one of its joint honorary secretaries and he has the honour to represent the association here to-day before you.

133. Is it your idea that the franchise qualification should be lowered?—Yes, we want to lower it.

134. To enlarge the number of voters?—Yes, we want to lower it by 50 per cent.

135. Then what would be the franchise qualification?—Those who would pay Rs. 2,000 as revenue or Rs. 500 as cess directly or indirectly to the Government would be electors.

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Memorandum submitted by Khan Bahadur Maulvi ALIMUZZAMAN CHAUDHURI, B.A., M.L.C.

(*a*) By lowering the qualification of voters.

(*b*) Not more intelligently than as is done at present.

(*c*) It will be manageable if the number of representatives be increased and the area of constituencies reduced.

(*d*) & (*f*) No.

(*g*) Does not arise.

Memorandum by Khan Bahadur Maulvi ALIMUZZAMAN CHAUDHURI. [*Continued.*

2. FRANCHISE QUALIFICATIONS.

(*a*) I do not know.

(*b*) By lowering the franchise each community will have sufficient voting strength for representing that community.

(*c*) As long as adult suffrage could not be introduced properly, qualification should be retained. The qualification of an union board voters will, I believe, meet the question.

(*d*) No.

3. WOMEN'S SUFFRAGE.

(*a*) I am not in favour of enfranchising women in husband's qualification. It is not understood why even a widow should have a vote by the right of a person who himself has ceased to be a voter.

Khan Bahadur Maulvi ALIMUZZAMAN CHAUDHURI, B.A., M.L.C. representing the District Board, Faridpur.

1. *The Chairman:* You are giving evidence in your personal capacity? You don't represent any association?—No, I represent the Faridpur District Board.

2. You don't express any opinion as to how far the qualifications of voters could be reduced from their present level?—You mean the franchise?

3. Qualifications for the franchise?—My contention is that if the union board qualification was the qualification for the Legislative Council vote, there would be 8 to 10 per cent. of the population represented.

4. You would enfranchise the voters for the Union Board, not the ratepayers?—Yes.

5. What do you say to adding to that indirect election through groups?—I am opposed to groups in all circumstances.

6. Do you propose to disfranchise altogether the remaining 92 per cent. of the population?—If you were to give adult suffrage, representation would be increased, but as long as adult suffrage cannot be introduced, I am not in favour of indirect franchise.

7. You would leave them quite unrepresented?—Yes.

8. I see that you are against enfranchising women on their husbands' qualifications?—Yes.

9. Under your scheme, would there be any women voters at all to speak of. If you lowered the qualification to the union board standard, would any women get in?—Yes.

10. In what numbers?—The numbers would, I think, be the same. I have not got any statistics.

11. They would be very small?—That may be, but the difficulty is that even the male population is not properly trained for the election system, and women are far less qualified.

12. Supposing we did enfranchise women, would there be any serious difficulty in their going to the poll and recording their votes?—It would be very difficult; rather it would be nearly impossible for the Muhammadan ladies to go to the polling booths.

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13. On account of purdah?—Yes, but also on account of the difficulty of conveyance.

14. *Khan Bdhadur Aziz-ul-Huque:* Supposing some sort of system is attempted, and it is agreed to enfranchise the 92 per cent. who would otherwise remain unenfranchised, would it be feasible for district boards and municipalities to be given representation, as well as the rate-payers?—That may be feasible.

15. In other words, for the rest of the people it would be quite possible to find out an electorate by reducing their franchise qualifications?—Yes.

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16. As regards purdah women, do you think that without sufficient education it would be possible to get any Muhammadan women to the polls?—No.

17. *Sir Muhammad Yakub:* If women are given the franchise, do you think it would be necessary, in the case of Muhammadan women, to have separate booths and women returning officers?—Surely there must be.

18. Do you think that franchise qualifications could be so regulated that the number of Muslim voters would be in proportion to their numerical strength?—Yes.

19. Do you think that the Muslims in Bengal would be satisfied with the results in a general way?—I think there is no question about that. If there are no separate electorates, there should be reservation of seats.

20. Which do you prefer?—Separate electorates.

21. *The Hon'ble Mary Pickford:* I see you say you are not in favour of enfranchising women on their husbands' qualifications?—Yes.

22. Am I right in thinking that there are very, very few women who have property qualifications and who are enfranchised at present?—If women were enfranchised on the rights of their husbands, there would be another difficulty. That difficulty would be that the man who had more than one wife would have a double vote.

23. You are also against the group system. I take it you are satisfied with the position which at present obtains and therefore would perpetuate it?—If women are to be enfranchised on the property qualification the fact would be that in future women would have more property than they possess now.

24. But I understand Hindu ladies are not in possession of property and therefore your suggestion would be impossible.

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25. *Mr. Hogg:* I understood you to say that those who do not come on to the electoral roll with the direct franchise might be enfranchised through Municipalities and District Boards?—The question was that if indirect election is given, then that can be given by the District Boards and Municipalities. It could be done through Municipalities and District Boards.

26. Do you think it would be a good thing to introduce into local institutions the element of provincial politics? I mean, do you think it would be desirable to introduce politics into these elections of local bodies?—I think it would be undesirable.

27. Then, in that view, would you still approve of having elections through these Municipalities and District Boards? I understand you to say that you agree that it would be a feasible proposition?—Yes, but in view of the fact that politics should not be introduced in local bodies, I think I would not recommend it for District Boards.

28. *Maulvi Tamizuddin Khan:* Are you a landlord yourself?—Yes.

29. There are five seats reserved for landholders in Bengal?—Yes.

30. Were any landholders elected?—No.

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31. Supposing special representation were granted to landholders. Do you think it essential that seats should be reserved for Muhammadans?—Yes.

32. *Mr. Chatterjee:* You don't mean to say that you want separate electorate for ever? You would want them only for a time?—Yes, until the communities themselves agree to give it up.

33. Do you also agree that the electorate should be so constituted as to give Muhammadans advantages?—Of course.

34. You also believe that the vote has an educative value. Would you deny the right to women?—Certainly not.

35. *Mr. Mallick:* Do you approve of the idea that advantage would accrue both to men and women if, in addition, educational qualifications were introduced?—Apart from property qualifications? If the franchise is extended I think there is no necessity to introduce educational qualifications.

Memorandum submitted by Mr. A F. NURUN NABI, B.L.

1. EXTENSION OF THE FRANCHISE.

(*a*) It is difficult to give accurate figures but approximately 10 per cent. of the total population may immediately be included in the electoral roll if (I) the existing franchise qualifications enumerated in sub-section (1) (*c*) of Section 3 of the Bengal Electoral Rules, are lowered so as to give the right of franchise to all persons in the rural areas who pay a chaukidari tax under the Village Chaukidari Act, 1870 or union rate under the Village Self-Government Act, 1919, of not less than Re. 1 only and (II) by giving the right of franchise to all graduates of Indian Universities as well as all the legal practitioners including the Mukhtears in all urban and rural areas.

(*b*) Yes. The suggested qualifications are now adopted in the Union Board elections and those under (I) & (II) with rather lower educational qualifications are adopted for local Board elections at present. As regards those who will qualify themselves under (II) they will admittedly be the very best body of electors that we can have in our country. As regards those who come under (I), from my experience of and close association with village life and having taken lively interest and active part in the union and local board elections, I can say with confidence that the electorate with the above qualifications will certainly be capable of casting an intelligent vote.

(*c*) Yes. The suggested additions will not increase the present arrangement in preparation, maintenance and revision of the electoral rolls. The Registering authority of a particular constituency will have only to accept the list for union board elections so far as suggested qualifications under (I) are concerned and as for (II) it will not be difficult to enlist graduates and legal practitioners as voters, as on a notice being published, they themselves will come forward with necessary documents to register their names on the electoral rolls.

(*d*) Does not arise.

(*e*) Yes. I am of opinion that to ensure a fully democratic constitution the electoral roll should be further enlarged than is suggested above. I freely recognise that adult franchise is not practicable at the present moment but I am of opinion that a very substantial proportion of the population should be immediately enfranchised. I have no hesitation in saying that in spite of wide illiteracy, at least 25 per cent. of the people of Bengal are quite capable of exercising their franchise intelligently. Administrative difficulties are there to be overcome and not to deter our progress.

Memorandum by Mr. A. F. NURUN NABI. [*Continued.*

In my opinion in addition to the present electors and those who come on the electoral rolls according to my suggestions (I) under (*a*) above, *i.e.*, who will be enfranchised by virtue of their paying chaukidari tax or union rate of Re. 1, some standard of education should be adopted as a qualification for franchise. I would suggest that passing of Middle English, Middle Vernacular, Middle Madrassah examination or the annual examination of class VI of High English school should be a test of qualification.

As for administrative difficulties, I may note briefly that I think that the present arrangement for preparation, maintenance, and revision of electoral rolls will be sufficient to deal with an electoral roll framed according to the above suggestions. The real difficulty will be in recording and counting of votes. I think this difficulty will be automatically lessened with the enlargement of the Legislative Councils and the consequent increase of constituencies. The services of teachers of High Schools may also be utilized at the time of recording and counting of votes.

(*f*) If my suggestions under (*e*) to enlarge the electorate are accepted I will not have the system of group electors at present. But if my suggestions above referred to are not accepted, I will give the scheme a trial both in the urban and rural areas. My reasons are obvious. I will have a fair proportion of voters on the electoral rolls but at the same time I am against immediate adult franchise. The group system will mean only a step above adult franchise. If my suggestions under (*e*) are accepted, I think on an average not less than 25 per cent. of the population will come on the electoral roll and in the present circumstances of the country, I will be satisfied with this proportion to start a democratic constitution. But failing this, even if my suggestions under (*a*) are accepted, I will be prepared to accept this group system as an alternative and in addition to my suggestions under (*a*), to achieve my object.

I think this group system will be feasible at least in my part of the country.

I would think that the group electors, if the system is adopted, should vote in separate constituencies composed of group electors only.

(*g*) No. I am not in favour of this course. Electors of general constituencies should also be allowed to stand as candidates from the constituency of group electors.

2. FRANCHISE QUALIFICATIONS.

(*a*) Yes. I think there is a marked disparity in the franchise qualifications between the urban and rural areas in my district. I think under the Dacca Municipality a tax of Re. 1-8 is paid by almost every man who has a holding in the town and the result is almost every one who has any interest in the town finds a place on the electoral roll; whereas, the existing property qualifications for franchise leave out a very large number of men who have a substantial interest in the villages. The remedy, in my opinion, lies in lowering the property qualifications for franchise in the rural areas; and both the urban and rural areas in my district will come on the same level, so far as proportion of voters to the population is concerned, if the existing property qualifications in the rural areas are lowered, so as to qualify all those who pay chaukidari tax or union rate of cess of Re. 1 to come on the electoral roll.

(*b*) I recognise that this will be an ideal system but short of manhood all other conceivable qualifications property or education, are so unevenly distributed among the people of different communities of Bengal that it is impossible to contrive a system to achieve such a result at present, short of adult franchise which I am not prepared to accept at present.

(*c*) On principle I agree that possession of property of some kind should be a suitable test, though not the only test of fitness for the franchise. But

in view of the discussions and the recommendations of the Franchise Sub-Committee of the Round Table Conference and also having regard to the present condition of the country with 95 per cent. of the population steeped in illiteracy, I am opposed to the possession of property of some kind, as a test for franchise. In my opinion, therefore, the present property qualifications are good on principle and will give good results, if extended on the lines I have indicated above.

(*d*) Yes. In order to have an intelligent electorate composed of not less than 25 per cent. of the population, I am in favour of some sort of qualifications, based on education independently of property and I would suggest that passing of Middle English, Middle Vernacular, Middle Madrassah examinations or an examination of Class VI of a high school should be adopted as a qualification for franchise.

(*e*) Yes.

3. WOMEN'S SUFFRAGE.

(*a*) I am very strongly opposed to the statutory commission's recommendations to increase the number of women voters in that way. Inspite of the fact that of late, women have begun to take increasing interest in the public affairs of the country, I do not see any special reason to ensure an increase in the number of women voters and to ensure increased representation in the legislatures by special means. I have already suggested considerable extension of the franchise qualifications and have included a certain standard of education as a qualification for franchise. Women, to come on the electoral roll, must satisfy one or the other test of the qualifications I have suggested above. I do hope that although women do not possess property to the extent as men do, they will be found to possess education to qualify themselves in larger numbers. Having regard to the very slow progress of education among our women, and various social customs to which our women are subjected and will remain to be so subjected for a long time to come, acceptance of the statutory commissions recommendations under the present circumstances, will have no other effect than to duplicate the votes of men. This or any other means of enfranchising, irrespective or independently of possession of property or education will militate against the principle of intelligent or responsible vote.

I would have equal qualifications for men and women and not any other system.

(*b*) I have accepted group representation under certain conditions and if groups are established under those conditions, I would prefer to have separate groups for women. But both the groups of men and women should form the same constituency in a certain area and both men and women should be eligible to stand as candidates from such constituencies.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

I wholeheartedly subscribe to the view that in the new constitution better provision should be made for the representation of the depressed classes and that the method of representation by nomination should be replaced by that of election.

If my views regarding extension of the franchise, as stated under (*e*) (1) above are accepted in *toto*, the depressed class people will be able to secure some seats through general constituencies in Eastern Bengal. But the number of such seats will not be more than half a dozen out of a probable total number of 200 or 250. But considering their proportion in the population, I think that this small number of their representatives will be quite inadequate to safeguard and promote the interests of this backward but big community. Under these circumstances, there is no other way to ensure the representation of the depressed classes than to give them the right to

send their representatives proportionate to their number in the population through separate electorates composed of electors belonging to the depressed classes only. I am fully alive to the difficulties in creating separate electorates for the depressed classes in Bengal due to the fact that the depressed class people are scattered all over the province in some districts, in small numbers. But the necessity of their representation is more important than the difficulties. I would, therefore, urge that seats proportionate to their number in the population should be reserved for the people of the depressed classes to be filled up by elections through separate electorates composed of the electors belonging to the depressed classes only.

I would have uniform franchise qualifications for all people and my observations about the group system above hold good here also.

5. Representation of labour.

I think, short of adult suffrage no amount of widening the suffrage will secure adequate representation of labour, as it is to-day.

My view is that there should be a clear-cut definition of labour. I know of a large number of people in my part of the country who have their own lands in which they work but at the same time they engage themselves as hired labourers to supplement their income during the time when agriculture in their lands require less attention. These people cannot be included under the category of labour and do not require special representation.

(*a*) & (*b*) I would give representation to labour only where it is organised, whether in industrial, agricultural, or plantation areas. On a definition being given to labour class, I would determine their number and fix up a percentage of their representation and would give them 25 per cent. of their total strength.

I would prefer to introduce group system among them.

6. Allocation of seats to British Indian Provinces.

(*a*) I agree with the suggestion and would have the representatives of the upper house of the Federal legislature elected by members of the Provincial Legislatures.

(*b*) The Franchise qualifications for the electors of the Lower House of the Federal Legislature should be different, a bit higher than those for the Provincial Legislatures. Considering the tentative suggestions regarding the number of seats for the Lower House, I think we may adopt the present franchise qualifications for the Provincial Legislatures with the addition that the graduates of Universities and the legal practitioners should be enfranchised and included in the electoral roll of the Federal legislature.

(*c*) There should be a direct election by territorial constituencies to the Lower Chamber of the Federal legislature at all costs.

The difficulties referred to are exaggerated. Direct system of election is in vogue at present and 6 Muhammadans and 8 Hindu members are returned to the Legislative Assembly from 26 districts in Bengal. In some cases 2 or 3 districts, and even two divisions are combined together to form a constituency and the elections are going on rather smoothly. In the tentative scheme out of 32 seats, suppose 14 seats are given to the Muhammadans, 4 to the depressed classes, 10 to the caste Hindus and 3 to the Europeans and Anglo-Indians and 1 to labour. In that case also 2 or 3 districts will have to be combined to form the constituency. Even now one whole district or even 2 districts are combined to form a constituency for the Provincial Council. They are being managed by the candidates fairly well. I do not, therefore, see why it will not be possible for the candidates to manage territorial constituencies for direct election. I would very much like to have constituencies composed of equal number of voters

and would adopt sub-divisions and even thanas as administrative units instead of districts as at present.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

I would not make any special provision for representation of women. I may add, I have sufficient confidence in the good sense of our men and if any lady by her public services can establish her worth, our people will not hesitate to elect her to the Federal as well as Provincial Legislature even in preference to men. Mrs. Annie Bessant and Mrs. Sarojini Naidu were elected to the Congress Presidentship quite enthusiastically and no question of their sex arose at the time of their election. In Bengal, at least one seat should be reserved for labour to be filled up by election through larger groups than those formed for the Provincial Legislature. Such groups may consist of say 100 persons of the labour class.

I would reserve 4 seats out of 32 for the depressed classes through separate constituencies of their own, based on equal franchise qualifications as those of other such constituencies.

8. GENERAL.

The present arrangement of the constituencies is quite unsatisfactory. The present constituencies have been formed without any regard to the number of voters in each of them. The result is that in some cases the constituencies are disproportionately big and in some cases they are very small. I urge for division of constituencies with equal number of voters as far as practicable.

I ask for modification of rule (3) of the Bengal Electoral Rules and would do away with the requirements of the actual payment of cess or taxes throughout and insert the words was assessed in place of ' has paid ' wherever they occur. My reasons are that whoever is assessed to some tax or cess, is bound to pay that cess or tax and the fact that a person has failed to make the payment within a certain date should not deprive him of his right of franchise.

Mr. A. F. NURUN NABI, B.L.

1. *The Chairman:* I understand that you approve in principle of the recommendations of the Round Table Conference?—Yes.

2. You approve of direct franchise and are willing to give the group system a trial. Is that correct?—I accept the group system as a supplement to direct franchise.

3. I think you said that the group system was feasible, at least in your part of the country. How would you propose to work it?—There would be groups of 25.

4. In what form would you actually work the group system: how would you record their votes?—In the case of separate electorates I would have separate groups of Hindus and Muhammadans and of women.

5. Would you have this grouping done by ballot or by informal means?—It is not necessary to have the ballot system. It will be possible to hold the elections without the ballot.

6. Is it your idea that one of the Government officials will go to the village and group the population informally on the basis of the geographical area?—A Government official or a union board official may be asked to do it.

7. I see you are very strongly opposed to the Statutory Commission's recommendation to enfranchise wives and widows on the property qualifications of their husbands?—Yes.

8. You would only qualify women in their own right?—Yes.

9. Would that not mean that very few women will become electors?—By adopting the group system, a large number of women will be enfranchised.

10. Then I see that you have proposed very exclusive representation for the depressed classes?—Yes.

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11. Whom would you include under the head 'depressed classes'?—The classes which are generally called untouchables by the Brahman and upper classes.

12. The total population of Bengal is 50 millions and of this, the depressed classes number at least one-fourth of the total population. Would you tell me under what disabilities they now suffer?—Firstly, they are backward in education and generally take very little interest in politics on account of their backwardness and prejudices of the higher classes against them.

13. Do you think, that hereafter they would find enough representatives to fill one-fourth of the seats in the legislature by separate electorates?—Yes.

14. *Mrs. Subbarayan:* You are not in favour of special provision for representation of women in the legislatures?—No.

15. Do you think an appreciable number of women will come in by general election from the very beginning?—I do not understand what you mean by 'an appreciable number'.

16. Do you think any women will come in at all?—I think women will come in.

17. Suppose no woman comes in, what is your suggestion?—I am confident that women will be able to come in.

18. You think so in spite of all the difficulties of electioneering and public prejudice against women and so on?—I do not think there is any public prejudice.

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19. *Sir Ernest Bennett:* Do you mean that some standard of education should be adopted as a qualification for separate franchise along with possession of property?—I mean that education should be made a qualification for franchise independently of property.

20. Do you think that we can adopt class VI of the High School or the Middle English Standard as the standard for the franchise?—I do not think it is a high standard.

21. *Sir Muhammad Yakub:* You are against the total abolition of direct electorates?—Yes.

22. In your opinion, that is the general view of the public in Bengal?—Yes.

23. How many women, in rural areas, do you think, are capable of casting intelligent votes?—Very few.

24. Do you think that the time has come in India when in our first attempt at responsible government, we should be given as extensive a franchise to women as to men?—I would give equal franchise.

25. You will not create any artificial qualifications for women?—No.

26. When women get the franchise on the qualification of their husbands, don't you think that men also should get the franchise on the qualification of their wives? Amongst Muslims property stands in the name of the wife

and that is the means of her livelihood. (*Laughter.*) Don't you think that in such circumstances they should get votes on account of the property qualification of their wives?—Of course, if women should get rights from their husbands, men also should get rights from their wives.

27. You have suggested the middle school examination as qualification for the franchise. There are numbers of Sanskrit schools and Arabic schools would you not consider a certain standard in those schools as equivalent to the VI class of the high schools?—I have included the Madrassas here.

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28. *Dr. Ambedkar:* You say in your memorandum that the depressed classes will be able to secure representation by election from certain places. Can you tell us what will be those constituencies from which the depressed classes are more likely to get themselves elected?—They would get themselves elected from Dacca, Faridpur, Jessore and other places where the depressed classes predominate.

29. Do you not know that, under the present constitution, some of the constituencies have been contested by the members of the depressed classes and that they have lost?—I think there are some depressed class members who have won at the elections in general constituencies.

30. *Mr. Chintamani:* You say in your memorandum that the group system should be adopted in your part of the country. I do not know to what part of the country you belong?—I belong to Dacca.

31. Why do you want that the group electors should vote in separate constituencies composed of group electors only?—I do not want to abolish the direct system. The group electors will be very small in number and, if they are included with the direct electors, there will be very little possibility of their having much influence.

32. How do you make out that they will be very small in number if only 10 per cent. of the population is among the direct electors and if the remainder are made into groups of 20 each? Having regard to the population of Bengal, how do you make out that the secondary electors will be very small in number? On the other hand, is there no likelihood of their almost swamping the direct electors? Is that the only reason for not combining the two?—There are other considerations. 25 per cent. are direct electors.

33. You think there is some advantage in not combining them?—Yes.

34. Why do you want that legal practitioners should be given the vote as legal practitioners? They will have the vote even if they are not legal practitioners?—That is an educational qualification.

35. You do not want to give them a double vote because they practice the law?—I think that is probably another matter altogether whether one man will be allowed to vote in two constituencies.

36. I cannot follow you. If a legal practitioner is already among the electors by reason of the tax which he pays do you propose giving him a second vote for his practice of law?—He need not be again on the electorate.

37. Then with regard to the representation of the depressed classes, you think the purpose will be adequately served by reservation of seats in joint electorates?—I do not think so.

38. What is your reason for preferring separate electorates?—Because, the social disabilities in the Hindu community are now such that there is a certain amount of prejudice against the depressed classes. Therefore, in a general constituency, with reservation of seats, there is every likelihood that only those persons among the depressed classes who have no sympathy for the depressed classes will be preferred by high caste people.

39. You think that there are among the depressed classes some people who have not much sympathy with their own class?—I think so.

40. What is your opinion about the representation of labour through trade unions?—I think the trade union movement is in its infancy in Bengal. If trade unions are established all over Bengal on proper lines I have no objection to it.

41. But, in view of the difficulties of arranging labour into electorates, suppose representation is given to registered trade unions, will not that, by itself, be a stimulus to unorganised labour to form some sort of unions?—It will be a stimulus. But in the present circumstances I do not prefer it.

42. *Khan Bahadur Aziz-ul-Huque:* What is your reason for saying that direct voting should not be abolished and what injury will be caused to the country if there is outright indirect voting?—I do not think the indirect system is an ideal system or a preferable system. The indirect system would be preferable only in places where there are difficulties in the direct system. But, in view of the fact that a large number of people are being left out under the direct system, we want indirect system in addition to that.

43. Do you think there is any chance of the influence of moneylenders being felt in an out-and-out indirect system?—I think so.

44. *Diwan Bahadur Ramaswami Mudaliyar:* You have suggested that women may be grouped separately?—Yes.

45. If separate electorates are to be retained for Hindus and Muslims then we will have to have separate electorates for Hindu women and Muslim women?—Yes.

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46. *Mr. Bose:* Do you accept the suggestion that all town should be taken out of the rural voting areas and made into separate independent groups?—Yes.

47. *Mr. Basu:* In your memorandum you say that it would be an ideal system to have the electoral strength in proportion to the strength of the population?—Adult suffrage would be the ideal system.

48. The Government report says that the adult Hindu population of Bengal is 11,500,000 and that of the Muhammadans 12,855,000. You say that even if adult suffrage is granted, the number of adult Muhammadans would not be proportionate to the total number of Muhammadans in the province?—It will not be.

49. Then what are you going to do? Supposing adult suffrage is given, the proportion of Muhammadan voters to Hindu voters will be about 50 to 50. It will not be 52 to 46 or any other number. In that case, will you enfranchise non-adult Muhammadans also?—No.

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50. *Khan Bahadur Abdul Mumin:* You are opposed to giving the women votes through their husbands. To your knowledge, are the women of Bengal at all keen on getting suffrage for the Council?—They are not, except among certain sections and in certain places?

51. As regards women in rural areas, do you think they will welcome this privilege of voting through their husbands?—All I can say is that they are not very keen about it.

52. Then as regards Mr. Bose's question about adults when he was comparing the number of Mussalman adults with those of the Hindu community, has it not struck you that the Census figures as regards adult age may be wrong?—I know that the Census figure is different from the actual one.

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Memorandum submitted by Babu JITENDRA LAL BANERJI, M.L.C.

I beg to submit the following memorandum on the Questionnaire supplied by the Franchise Committee both in my personal capacity as a member of the Legislative Council and also as President of the Bengal Hindu Franchise Advisory Committee.

It has to be mentioned at the outset that questions like those of the representation of the depressed classes or of labour cannot be adequately dealt with except in connection with the entire problem of the representation of special classes and interests and whether such representation of special classes and interests is at all compatible with a progressive and democratic constitution such as we are envisaging for the India of the future. But the method adopted by the Committee leaves us no option in the matter; and we should only like it to be understood that, in submitting our tentative opinion on these points, we do not wish to be taken as committing ourselves in support of the principle of such special representation.

1. Extension of the Franchise.

(*a*) The question of enlarging the constituencies or enfranchising a larger proportion of the population is closely connected with the qualification of frachise. The present franchise qualification (which is different for urban and rural areas, and, even in urban areas is different for places like Howrah and Calcutta) has given us an electorate of approximately 2½ per cent. of the population. If the franchise is lowered to the Local Board standard (*i.e.*, Re. 1 in cesses or Re. 1 in union rates or chowkidari taxes), there will no doubt be an appreciable increase of the electorate, but it is doubtful if the increase will be much more than double. The Bengal Government has calculated that it will give us an electorate for the entire province of about two millions in place of the present electorate or roughly about one million. But something much more liberal and extensive is required.

Accordingly we suggest that the Franchise should be extended on the following lines:—

(*i*) In rural areas the franchise should be given to whoever contributes the minimum union rate or the minimum chowkidari tax as the case may be—*viz.*, 6 as. per year.

(*ii*) In urban areas, every rate-payer on the Municipal assessment register should be given the vote.

(*iii*) In the case of joint families the vote should be given to every adult member of the family and not simply to one representative of each family group.

(*iv*) There should be an independent literary qualification such as we suggest later on under 2 (*d*).

In favour of the above suggestions, we claim—

(*i*) that their combined operation will at once give us an electorate of from 10 to 15 per cent. of the population and will constitute a long step towards the grant of adult franchise;

(*ii*) that they lay down a franchise-standard which will be broad, simple, uniform and free from irritating disparities;

(*iii*) that they will extend the franchise to the poorest classes of the population and will thus lay a sure foundation for democracy;

(*iv*) that by providing for the inclusion of large masses among the "depressed" or "backward" classes, they will remove every legitimate ground of complaint on the part of those classes.

We may claim also for our recommendations that they will provide an automatically expansive constituency; the last increase in agricultural and

Memorandum by Babu JITENDRA LAL BANERJI. [*Continued.*

industrial prosperity in the country will be automatically reflected in an expansion of the constituency, so that the grant of adult franchise after a certain lapse of time will come, not as an abrupt or violent change but as the next inevitable stage in political evolution.

There is no reason to apprehend that the lowering of the franchise such as we have suggested will give rise to unwieldy and unmanageable constituencies. After all the manageability of a constituency (from the candidate's point of view) depends, not so much on the numerical strength of the electorate as upon the size of the constituency and the distances which one is required to cover. And, as the strength of the Provincial Legislature under the Reformed Constitution is bound to increase from about 100 (which is the present proportion in Bengal of members returned from general constituencies) to not less than 250, the constituencies of the future will be smaller in area and therefore easier to canvass.

It will be gathered from what we have said above that we are against the grant of adult franchise in the immediate present: and this for various reasons.

(*i*) The resulting constituencies will be unwieldy and unworkable and the system may break down from the sheer weight of numbers.

(*ii*) The large bulk of the population have still to grow familiar with the working of representative institutions.

(*iii*) The large mass of the electorate have still to be trained in an adequate sense of responsibility; and till such sense of responsibility has been developed, the grant of adult franchise, so far from furthering the interests of true democracy will lead to the establishment of the worst form of oligarchial and "caucus" domination.

(*b*) Yes: the establishment of Union Boards over a large part of Bengal has made people partially familiar with the working of representative institutions, and the electorates will be quite capable of exercising an intelligent vote. The peasant classes of Bengal, who will be largely enfranchised as a result of our suggestions, are a shrewd and fairly intelligent body of men—though not literate to a more than fractional extent—and they may be fairly trusted to look after their own interests. I may say from personal experience that the classes of which I am speaking are quite capable of grasping political issues if they are fairly presented before them.

(*c*) I expect no difficulty whatever as regards the preparation, maintenance and revision of electoral rolls. Considering the present extent of illiteracy in the country, there may be a slight difficulty in the recording and counting of votes but nothing insuperable.

(*d*) Does not arise.

(*e*) As we have said in answer to (*a*) our system provides for an automatic expansion of the electorate. Under any reasonable form of national Government, there ought to be an appreciable increase of prosperity in the country; and considering the low franchise qualification we have suggested, every such increase, however slight, will be reflected in a proportionate expansion of the electorate.

(*f*) We are totally against any form of group-voting or indirect election. The disadvantages of such a system far outweigh any possible advantage that may arise from them.

In the first place, every form of indirect election suffers from the fundamental defect that, under such a system, there will be no touch between the electors and the elected, with the inevitable consequence that there will be no adequate sense of responsibility on the part of the members towards their real and ultimate constituents—the "primary" electors. The immediate election of a member will depend upon the vote of the "secondary" electors.

But these "secondary" electors will be a shifting and variable body; they will be *functus officio*, immediately after they have cast their votes, and they will be in no position to exercise any degree of check upon the member whom they have been instrumental in choosing.

There is a second and more serious aspect of the question. In India, and for long years to come, the difficulty with which we shall have to grapple strenuously in the working of representative institutions will be to develop a serious sense of political responsibility on the part of the enfranchised electors—to educate them in the value of the vote. And this will be difficult, if not impossible, if the voter has no direct voice in the election of the member, and if his sole function is to consist in the choosing of an "elector".

The only advantage expected from the system of group-voting is that it will reduce the electorates within "manageable" proportions. But we have already pointed out that the "electorates" will not be unmanageable under the franchise qualifications we have suggested—so that the question may fairly come up for consideration when the time is ripe for the introduction of "adult" suffrage.

We have not touched upon the practical difficulties in the way of group-voting; but, in the existing condition of things, if the system of group-voting is to be introduced, it will mean that every candidate will have to run two sets of elections—first from the "primaries" to the "secondaries" and then from the "secondaries" to the Legislature. No doubt these difficulties will largely disappear when political parties have been formed on well-defined lines and when the political education of the masses has proceeded still further: but till then the introduction of any form of indirect election will be fraught with evil.

(*g*) Does not arise in view of the previous answers; but in any case we are against this artificial restriction.

(*h*), (*i*) & (*j*) Our answer to (*f*) covers all these points. But we should like to make it perfectly clear that it would introduce an element of needless complication and confusion if the group system is introduced side by side with the existing system of direct election. On the other hand if the group-system is to be tried at all, we would prefer that it should be introduced universally to the suppression of all existing qualifications of voters and existing systems of voting. Fifty would be a suitable size for an out-group; attainment of majority with the possession of a sound mind and voting capacity, should be the only qualification; and village authorities (the Chowkidari Panch or the Union Board) should be charged with the duty of framing the groups.

2. FRANCHISE QUALIFICATION.

(*a*) At present there is a certain amount—not very marked—but a certain amount of disparity in the operation of the franchise qualifications as between urban and rural areas. The standard we have suggested will remove these disparities and will lead to a practical uniformity of operation in all constituencies.

(*b*) We are totally against the suggestion and should like to join issue with the very implication of the question. The idea seems to be that the franchise qualification of one community should be lower than that of the other in order *artificially* to make the voting strength of the community proportionate to its numerical strength in the country. Such differential treatment can have no justification upon any basis of principle or political expediency. All that we can do is to fix the franchise qualification sufficiently low, and after that the voting strength of each community must necessarily depend upon the applicability of such qualification. The differential treatment suggested in the Questionnaire will not only be unnecessary in practice —it will be positively mischievous as giving rise to a rankling sense of in-

justice in the minds of a community whose only fault may be that it can better satisfy the necessary standard of qualification.

(*c*) Yes: the qualification we have suggested is based upon the possession of some kind of property and we think that this is the most suitable basis of qualification. But we would suggest, in addition, that Matriculates* of the University, otherwise qualified (*viz.*, by age, residence, etc.), but not possessing the property qualification may also be admitted to the vote.

(*d*) See our answer to the above.

(*e*) Yes. We are in favour of the suggestion.

3. WOMEN'S SUFFRAGE.

(*a*) To ask whether we are in favour of increasing the women's electorate is, really speaking, to beg the question. What prevents women in our country from coming over in large numbers to take their legitimate share in affairs of practical politics is neither a question of literacy nor a question of property-qualification—it is a question of custom, tradition, and immemorial usage, and so long as these are in the way, a mere alteration of the qualification will not, we are afraid, produce any appreciable effect whatever. No doubt, ancient customs and traditions are giving way in all directions; and the time may soon come when women will be as forward in politics as men. Meanwhile, the chief evil of the existing property-qualification is—not simply that it restricts the electorate but that it has resulted in giving the vote to a wholly undesirable class of persons. The only way of correcting the evil would be to insist upon a minimum "literacy" test (the mere ability to sign one's name will do) in addition to the minimum property-qualification. Our views on the question may be summarised as follows:—

(1) We are in favour of granting women the vote.

(2) We are in favour of a uniform property qualification for men as well as women.

(3) In addition, we would insist upon a minimum "literacy" standard for each woman voter.

(*b*) In view of our previous answer, this question does not arise.

4. DEPRESSED CLASSES.

Let us start with a categorical statement of our main conclusion on the matter. We are against granting separate representation to the depressed classes and we are against also the suggestion of joint electorate with reservation of seats.

Separate electorates are unnecessary and are mischievous.

They are mischievous—

(1) because they will extend to the civic and political field differences which now exist only in matters of social habit and conduct;

(2) because they will tend to harden, crystallise and perpetuate certain unfortunate tendencies towards disintegration that have recently manifested themselves in the Hindu community;

(3) because they will seriously retard the development of that homogeneous Indian nationality which is the dream of our aspirations and the goal of all our endeavours.

They are unnecessary—because, under the franchise qualification we have suggested, the so-called depressed or backward classes will soon come to form

* We have mentioned Matriculation as a convenient standard to go by: but people possessing an equivalent educational qualification should be similarly enfranchised.

the bulk of the electorates and will be able to influence the elections just as they choose.

As for reservation of seats, besides being unnecessary and mischievous, it will be found to be utterly unworkable in practice.

The depressed classes are not concentrated in one area; they are scattered over every district and how and in what manner it may be possible to reserve seats for these depressed classes in the different constituencies is a problem which will tax human ingenuity to the uttermost.

Let us develop our argument in more detail:—

(1) The term "depressed class" is one of uncertain connotation. But, under any reasonable interpretation of the term, we shall be quite justified in maintaining that there are no depressed classes in Bengal—no class which suffers from any civic or political disability as such, no class that is prohibited from using the public wells, or attending the public schools, no class that is penalised in any way from its social status. No doubt, there are classes that are educationally and economically backward; but there are such backward classes among the Muhammadans as among the Hindus—among the Muhammadans more than among the Hindus; and it would be preposterous to contend that separate representation should be granted to the backward section of one community only.

(2) Again, the so-called depressed classes do not form a homogeneous body. They are dispersed among more than half a hundred separate castes; and these castes are divided from one another by social barriers which are as rigid and exclusive as those which divide the depressed classes from the higher castes or which divide the higher castes among themselves. Therefore, to carry the principle of separate representation to its logical conclusion, it will not be enough to allot a certain number of seats to the depressed classes as a body—one will have to go further and distribute these seats among the 56 separate castes among the depressed classes. Such a proposition, we submit, has only to be stated in order to be laughed out of court.

But, in fact, the apprehension that the depressed classes may not be adequately represented is entirely imaginary. The depressed classes (to accept the Government enumeration) form more than one half of the Hindu community; and under the low franchise qualification we have proposed, they are sure to form a majority of the electorates also. Therefore, according to our view of the matter no separate system of representation is necessary for them.

5. LABOUR.

If the basis of suffrage is widened in the manner we have suggested, Labour will be adequately represented and it will not be necessary to have separate representation for them.

In Bengal, agricultural labour constitutes 90 per cent. of the labouring population. And, considering the peculiar tenancy conditions of the country, the bulk of them will have votes under the franchise standard for rural areas which we have suggested.

Industrial labour is concentrated in a few municipal areas, mostly near Calcutta; and here also the bulk of the labour population will have votes under the standard we have suggested.

The only difficulty may be as regards plantation labourers, many of whom do not pay any rates or taxes direct. Such labour, in Bengal, is concentrated only in Jalpaiguri, Darjeeling and a part of the Tippera district and the

difficulty in their cases may be met by devising a special franchise, *e.g.*, a monthly salary of Rs. 10 with insistence upon a minimum completed residence of two years.

THE FEDERAL LEGISLATURE.

6. Considering that the figures given are for arithmetical calculation only, we do not offer any remarks upon the proposed strength of the two Chambers, beyond stating that the strength of the Lower Chamber will have to be considerably increased—to anything up to 500—in order to avoid some of the difficulties raised in the Questionnaire. Also, considering the wealth, population and revenue of Bengal the quota allotted to this province would require to be altered.

(*a*) We agree with the suggestions of the Federal Structure Committee.

(*b*) We suggest that the franchise qualification for the Federal Legislature should be the same as the franchise qualification for the Provincial Legislatures at present.

(*c*) We agree that election to the Lower Chamber of the Federal Legislature should be by *direct* election from territorial constituencies. Indirect election is not to be thought of for reasons mentioned before.

The difficulty as regards unwieldy constituencies will be considerably minimised if the strength of the Lower Chamber is raised to, say, 500. In that case, let us see how it will work in a province like Bengal. The total number being 500, the quota for Bengal will be 80. Now, at present there are about 42 non-Muhammadan and 33 Muhammadan general constituencies in Bengal. Thus under the revised constitution a candidate for the Federal Legislature will have to deal with a constituency corresponding very nearly to the existing constituencies for the Provincial Legislature. This, though still large, will not be unmanageable. As suggested above, we desire that the constituency should approximate in area and population to the average Bengal general constituency of the present day.

Babu JITENDRA LAL BANERJI, M.A., B.L., M.L.C.

1. *The Chairman:* Do you come here in your individual capacity or do you represent any association?—I come in my individual capacity. But I do represent an association. A board has been formed called the Bengal Hindu Franchise Advisory Board, and I am on that board. That body was appointed at a meeting of some of the leading Hindu citizens of Calcutta.

2. I see that you propose, by lowering the property qualification, to increase the electorate to between ten and fifteen per cent. of the population. Is that so?—I think that is an under-statement of the case. If the property qualification is lowered as I suggested, it would increase the electorate to something like 20 per cent. of the population, and not less than that.

3. I gather that you are totally opposed to group voting or indirect election in any shape or form. Is that so?—Yes, absolutely.

4. You say that on your own proposals between 20 and 15 per cent. of the population would have the vote. What representation do you propose giving to the remaining 80 per cent.?—The 15 or 20 per cent. that will be enfranchised will be able to lead the other people. So far as my reading of history goes, I see that down to 1870 in England itself not more than 5 per cent. of the population was enfranchised; that is only 1,200,000 out of a total population of 50 millions. But here I am proposing to enfran-

chise nearly four times that proportion. In England even after 1870, the percentage enfranchised could not be more than 50.

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5. You think that by enfranching the propertied classes, the other people will be represented?—The qualification that I propose is only 6 annas contribution. They cannot be described as propertied classes. They belong to very poor classes.

6. Do you propose any additional qualification?—That is not my personal view, but the body I am connected with thinks that an additional educational qualification might be laid down.

7. Will you give the reasons why you oppose the group system?—In my memorandum I have given the reasons. I may add that what we want in this country is to make the people conscious of political responsibility. But under the group system of voting that system of political responsibility will not be developed. There will be no touch whatever between the member elected and the primary electors. And that is absolutely necessary. Under the group system what will happen at best is that the primary electors will elect the secondary electors. Therefore the doings of the members will not be subjected to any supervision on the part of the primary electors. The primary electors may not have sufficient stimulus. Most probably the system will not function at all.

8. Don't you think that there may be some advantage. The 80 per cent. who will not be enfranchised under your system will have that elementary education in politics to enable them to elect group members even if they have no vote. Is it not so?—Pardon me. It is slightly misleading to say 20 per cent. and 80 per cent. By 20 per cent. I mean, 20 per cent. of the whole population, not the adult population alone. In any case children will have to be excluded.

9. Turning to women's franchise, you say that the reason why they do not vote is really a matter of custom, but the actual proposal you make will enfranchise very few women. Is that not so?—Perhaps it might restrict the electorate still further.

10. I understand that at any rate many Hindu women do not own property in their own right, is it not so?—The property laws themselves might be changed. Under the reformed constitution the property laws are bound to be changed.

11. In practice, at any rate, in the beginning, your proposals will not lead to the enfranchisement of any considerable number of Hindu women. They may lead to a larger number of Mussalman women who have property rights getting the vote, is it not so?—Yes.

12. Unlike the last witness you do not wish to give any special representation at all to the depressed classes?—Not simply to the depressed classes. So far as the questionnaire is concerned, I have not had any opportunity to submit any memorandum. I do not want special representation for anybody, for the landed classes, the depressed classes, the universities or any body. I want that there should be one electorate only.

13. *Diwan Bahadur Ramaswami Mudaliyar:* You say that in extending the franchise in the case of joint families, the vote should be given to every adult member of the family. If the head of the family pays the chaukidari tax, don't you think you would be giving undue advantage to the adults of the joint family?—I do not think it is unfair.

14. If you take all the co-sharers, each adult share of the tax will be much less than 6 annas, will it not be so?—True. But it is paid on behalf

of the joint family; and in practice there will be disappointment whatever felt by any member of it.

15. You suggest that if there is to be any group system at all, it should be completely on the indirect basis but there should not be a combination of the two systems?—Yes.

16. May I know your objections to the combination in particular? I can understand your objection to a group system of any kind?—It simply complicates the machinery unnecessarily. What is the good of having two systems?

17. Let me explain the system that has been suggested. The direct voters who are qualified in their own rights will first be taken on the list of voters. In the villages groups will be formed and they will be asked to select one from among themselves, the number in each group being 20 or 25. These secondary voters (the persons so selected) will be included in the common electoral roll. Would you be seriously against it?—Yes, I am against it. I am opposed to the group system altogether.

18. As regards the depressed classes, first of all I ask you, do you by any chance represent the Hindu Mahasabha view in this matter?—There is no Hindu Mahasabha view. The Hindu Mahasabha declined to give its view as a body. Individual members of that Sabha are giving their views.

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19. *Mr. Miller:* Would you be in favour of giving special representation to Commerce, such as is given to the Bengal Chamber of Commerce?—Not to Commerce as such. The question of communal representation will come afterwards, and Europeans may claim separate representation as a community because they represent commerce. If you give special representation to European commerce, what is there to prevent the claim for special representation by Indian commerce? The country must be represented as a whole but not by groups such as commerce, or landholders and so on. In no democratic constitution would such a system be tolerated.

20. How would you give Europeans representation? As a separate community?—I do not commit myself to that now.

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21. You said you would give equal opportunities for all, and leave it to them to avail themselves of those opportunities. In saying that you were doubtless aware of the special handicaps to which the members of the depressed classes are subject?—I can think of no handicaps whatever for them.

22. Suppose the members of these classes feel, you may say they wrongly feel, but suppose they do feel that unless some special concession is given, it may be temporarily, their interests would not be properly represented, would you at least temporarily make some provision to reserve some seats for them in a joint electorate?—I must say that there is a fundamental fallacy underlying this expression "depressed classes". Who are the depressed classes? There are some 56 separate castes among the depressed classes. What community of interest, what common factor is there among them? How can you possibly reserve seats for them? There are the Shahs. There are the Subarnabaniks. For whom are you going to reserve seats? Whom do you mean by the depressed classes? One caste cannot represent the other. Then again there is another thing. They are scattered among the different districts of Bengal.

23. In so far as representation in the legislature goes there will be 56 castes to be provided for?—That is my point.

24. Supposing they feel that they should have special representation?—They do not.

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25. *Dr. Ambedkar:* You said that you are altogether opposed to any special representation of any interest, that you want representative institutions based upon the population as a whole?—Yes.

26. Is it not a fact that the members of the legislature have been drawn largely from the Bhadralog class?—Yes.

27. Do you think that a legislature which is composed mostly of men of the Bhadralog class is a representative institution?—Certainly.

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28. What is the population of the Bhadralogs in this province?—What do you mean by the Bhadralog?

29. The Brahmins, the Kayasthas and the Vaidyas?—When we speak of the Bhadralog, we mean the educated and the cultured people.

30. Could you give me the population?—A little less than half of the Hindu population.

31. You think that a representative institution which is largely drawn from this quota of population can be said to represent the whole mass of the country?—Yes.

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32. You say that you do not mind the restriction of the franchise because you find certain illustration in English history that would show that, although Parliament was omnipotent, the franchise was a very narrow one. Do you propose that because it was so in England, we should also have the same? —I never said that. I only said that up till 1832 the franchise was not so wide and that after that there was a gradual extension and that it was in 1870 that more than 10 per cent. of the people were enfranchised. It does not mean that Parliament was deprived of its representative character. Can you say that the Parliament of Gladstone was not representative?

33. I am prepared to say so.—Very well.

34. Do you mean to say that you advocate a system of political reform in which you get complete responsibility and complete power on a franchise almost as restricted as the franchise of 1832 in England?—That is a misleading question. I never said that. I never drew an analogy between the two countries. Why are you establishing an analogy?

35. You were trying to establish an analogy?—I was not. This question of percentages is a misleading one. I merely said that since the political education of the masses is not sufficiently advanced we could not go on to the adult franchise. It will be increasing day by day and after some time we will adopt adult franchise. At present political consciousness has not been sufficiently developed.

36. Except among the Bhadralogs?—Yes.

37. There is no political consciousness now?—I never said that. Don't put words into my mouth which I never uttered.

38. Let us go to the depressed classes. I think, your position is this; that in view of the fact that in certain areas, which you have not mentioned, the depressed classes are numerically large, without any special provision being made in the constitution itself they will be able to get certain representation through general constituencies. That is what you think? In fact, I might say that you feel quite sure that they will come in?—The depressed classes may not elect one of themselves to represent them. They might elect a Bhadralog.

39. The question that we are considering is a restricted one and is, whether the depressed classes in any particular constituency would be able to elect members of their own community to the legislature in an open constituency?—If they so chose.

40. The next point, therefore, that I would like to put for your consideration is this. If you are so certain that that will be the result what objection can you have for a legal provision being made for a sure fact which, according to your opinion, is a certain fact?—You don't take into consideration the fundamental political fact. You want to divide the country laterally and vertically. Who will represent the depressed classes? You are merely retarding the development of the homogeneous Indian nationality. Under a democratic form of government special representation does not come in.

41. You have not answered my question?—I have, so far as I could.

42. *Mr. Butler:* You say in your memorandum that the large bulk of the population have still to grow familiar with the working of representative institutions. Do you not think that it is better to give them some voice in the government of your country by an indirect system rather than none at all?—It is all theory. Under that system they have no voice. They are only concerned with electing other electors. I am talking of the village people. They will not understand that. They will understand electing a member to the Legislative Council direct. They will not understand the force of electing an intermediary.

43. Do you consider that an ordinary Indian villager will know more about the prospective candidate in an election than a man in his own village?—He will know his own villager more.

44. In that case don't you think that it is better for him to vote for a man whom he knows than for one whom he does not know at all?—He will not appreciate the good. He will not regard it as a substantial benefit.

45. *Sir Muhammad Yakub:* I would like to know what is this Bengal Hindu Franchise Advisory Committee which you just now mentioned?—It is a body that was appointed by a committee of the leading citizens of Bengal.

46. When?—About two weeks ago.

47. What are its aims and objects?—For the purpose of formulating certain opinions and submitting them to the Franchise Committee.

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48. *Dr. Ambedkar:* Will you kindly let us know what would be the number of voters in Bengal if you enfranchise 20 per cent. of the population?—It will be something like four millions.

49. How many days do you think will the election take?—4 days would be sufficient.

50. What would be the arrangement for taking votes? Whom would you entrust with that task?—Just as is done under the present system. There will be a sufficient number of public servants. There would be absolutely no difficulty.

51. Don't you think that there would be dislocation of public work if courts are closed for four days?—They are closed for more than four days during Christmas and for more than 10 days during Puja holidays. Then the work is not dislocated!

52. Would you like the women to come to the same booths?—The same booths, but separate enclosures just as is done at present.

53. You don't want women officers for women?—I don't object.

54. Would you prefer that?—I would prefer that certainly if you could have women officers. It would not make any difference.

55. *Sir Sunder Singh Majithia:* In your memorandum you have fixed the Matriculation examination as the educational qualification. Are you prepared to go lower than this?—I have not considered the question. As at present advised, I would not.

17th Feb. 1932.] Babu JITENDRA LAL BANERJI. [*Continued.*

56. In the case of women you would insist upon only a minimum literacy test?—Mere ability to sign one's name would do. If they have the same property qualification as the men and the literacy qualification I will give them the vote.

57. You will give the Matriculates the vote if even they have not got the requisite property qualification?—Yes.

58. *Major Milner:* On the last page of your memorandum you have said that the Federal Legislature should consist of 500 members. I don't know what would be the strength of the local legislature?—300. That was my idea. 500 for the lower chamber of the Federal Legislature and I should want 300 here. That will be sufficient, I think. It may be more, not less.

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59. I see that you say that the qualification you suggest is based upon the possession of some kind of property and you think that that is the most suitable basis of qualification. And then you later on say that the chief evil of the existing property qualification is that it has resulted in giving the vote to a wholly undesirable class of persons?—So far as the women are concerned.

60. So that you would amend the proposal in your paper here so as to say that the present property qualification, so far as the women are concerned, has given the vote a wholly undesirable class of persons?—It is not happily expressed.

61. What is the happy expression?—The idea is this. The vote has been given to a certain class of people who are not desirable. The *purda* ladies, the respectable ladies, do not come for the purpose of recording their votes. On the other hand, the prostitute class do come in large numbers. In fact, 90 per cent. of women would be of this fallen class.

62. The women who observe *purda* don't come out even if they have the property qualification?—They do, but they don't come for the purpose of recording their votes. They don't come to the polling booths.

63. Mr. Butler touched on the point which you have stressed, *i.e.*, the necessity to educate the electors in the exercise of the vote. I should have thought that you would have considered that it was a very excellent education in exercising the vote by allowing a man to vote for a man whom he knows rather than to have no right to exercise it at all?—It is all very well in theory. I am speaking from the practical point of view. At present the people in the villages exercise their right of vote when they go to record their votes for the purpose of electing members to the Union Boards.

64. Surely you must agree, as a sensible man, that there is greater education if a man (or a woman) votes for a man of his own family, or his own class, for a man whom he knows, rather than for one whom he does not know at all?—You seem to think that the use of the vote means, how to record the vote. They know how to record their votes. The idea must be to develop a certain sense of responsibility. Voting through groups will not be educative.

65. Some responsibility, some sense of discrimination, some political intelligence will have to be exercised if the group system were introduced?—This is a question of opinion.

66. I see, Mr. Banerjee, that, under pressure, if the group system is to be tried, you would prefer that it should be universally introduced. Under pressure you would probably agree that it was not altogether an undesirable system?—No. It is altogether an undesirable system at present. When there is adult franchise it might come in.

67. With regard to the labour item, from your answers it appears that you are against any special representation, but would you agree, in fairness,

that if capital has special representation labour ought to have representation too?—If capital has special representation, labour would have more justification for claiming separate representation.

68. You know that there are many institutions, associations or parties in history where the indirect vote is exercised satisfactorily under a group system?—It has been tried in Syria and Egypt.

69. Are you aware that the Labour Party in England adopt the same method in appointing their Executive?—But at the same time they exercise their direct vote in many other respects.

70. The running of the party on those lines will not change your mind?—Unless I am familiar with the working of it.

71. You are speaking to-day in your personal capacity and also as President of the Bengal Hindu Franchise Advisory Committee. Has this memorandum been approved by them?—Yes.

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Memorandum submitted by the INDIAN CHRISTIAN ASSOCIATION, Bengal.

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(*c*) That the said Association fully concur with the views of the All-India Conference of Indian Christians held at Poona and they strongly condemn the representation of Indian Christians by nomination or by special electorate as highly detrimental to the best interests of the country and favour reservation of seats for Indian Christians in a general electorate.

(*d*) That in justice and fairness to the Indian Christian Community at least four seats ought to be reserved for Indian Christians on the proposed Legislative Council of Bengal.

Mr. S. C. MUKERJEE, M.A.,B.L., Representing the Indian Christian Association.

1. *The Chairman:* Your Association consists both of Roman Catholics and Protestants?—It practically represents the Protestants, though the rules of the Association do not prohibit Roman Catholics from becoming members of the Association. But unfortunately they prefer generally to keep themselves segregated.

2. What is the number of Indian Christians in this province?—I have not got the 1931 figures. So far as the 1921 figures are concerned, the number of Roman Catholics is about 35,094. If all Christians are included we shall be something like 70,000.

3. What representation have you got in the legislature to-day?—Only 1 person by nomination. Our wish is that we should have at least 4 seats in the Bengal Legislative Council by reservation of seats in joint electorates. That is the feeling of my community here and that is the feeling of the entire Indian Christian community represented by the All-India Conference of Indian Christians. Other minorities are asking for separate electorates, but we are all against it.

4. You want reserved seats?—We condemn nomination in an unqualified manner and we also do not favour separate electorates.

5. Could you give us the reasons why you think that the representation of your community should be 4 instead of 1 as at present?—To be quite frank, when we find that the Anglo-Indians who form only $\frac{1}{4}$th of our number get 2 seats in the Legislative Council, we don't see any reason why the

Protestant Indian Christian community, which is a growing community, a highly advanced community, should not have at least 4 seats in the Bengal Legislature. That is our feeling.

6. *Sir John Kerr:* The 70,000 Christians that you represent, where are they mainly to be found?—They are scattered all over Bengal in different districts. We have an appreciable number in districts like 24-Parganas. Calcutta is a big centre of Indian Christians. Then they are in Nadia and Bakerganj Districts and in Dacca. I collected the figures from the Imperial Library and I find that in Calcutta their number is 18,555 and in Dacca it is 13,377. That includes all the Christians. Our idea is to have reserved seats in certain districts in the province where there is a preponderating number of Indian Christians. Four of such places are to be chosen.

7. Four districts, you mean?—Yes. Calcutta would be one, the 24-Parganas another, then Bakergunge.

8. How would you manage the reservation of seats?—That will depend upon the franchise. There may be 70,000 Christians, though not all adults. There would be children and those under 21, so I don't think it will be an impossible situation.

9. You would have separate electorates?—No. We want to be returned not merely as Christians, we want to be on the best terms with Muhammadans. We don't want to perpetuate any sort of class feeling, but be returned both by Christians and Hindus.

10. *Sir Zulfiqar Ali Khan:* You don't want separate electorates and yet you want four seats to be reserved?—For this reason. I am very candid to-day. If we don't have some seats in the Legislature, we will be given nothing but nomination. My community feel that they don't like to be treated as slaves.

11. You can stand for the general constituency?—Certainly we can, but of course when you have to compete with your Hindu colleagues the competition is very severe. If it means a choice between a general constituency and nomination, we prefer a general constituency to nomination.

12. You would rather go unrepresented in the legislature than be represented there by nomination?—Yes.

13. On the one hand you say you want to stand for joint electorates and at the same time you want four seats reserved?—Four seats for the whole of Bengal, not for Calcutta only. I said Calcutta was to be regarded as one of the constituencies. One for Calcutta, one for the 24-Parganas, and so on.

14. *Dr. Ambedkar:* You say you want 4 seats. Is that because you feel it a grievance that the Anglo-Indians being smaller in number have more representation than you have?—Yes.

15. You want representation in proportion to your population?—Yes.

16. Is 4 in proportion to your population?—No, I don't think it will work out in that way.

17. It is only proportionate to the Anglo-Indians?—Yes, and since the community is a growing community, and a really important minority, some provision should be made for us. They are likely to make a real contribution to the deliberations of the Legislative Council.

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18. *Lord Dufferin:* What is the proportion of the depressed classes in your community?—If you take the whole of Bengal it is a pretty large percentage.

19. Supposing the franchise were given to the depressed classes, do you think that these people should go with them or as Indian Christians?—As Indian Christians.

20. You said that your community do not like to be treated as slaves? What did you mean by that?—What I mean is that the impression generally prevailing is that a nominated member exists only for the Government.

Rightly or wrongly that impression prevails. Even when I have voted according to my conscience, and that vote happened to support the Government, my community have regarded it as a pro-Government attitude.

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21. *Khan Bahadur Aziz-ul-Huque:* I have not yet been able to understand how you would distribute the seats, because your population is not more than 15,000 in any district?—Is that any difficulty?

22. I don't find any way how these 4 seats can be distributed. You want to select 4. In the other districts the Christians would get no representation?—In some of the districts where there is a very small percentage of Indian Christians they would have to do without.

23. Practically it means you want representation for four districts, while the rest will be disfranchised, and yet you don't favour one electorate?—That would mean that my community would be segregated. We don't want this, and are opposed to it.

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24. *Sir Muhammad Yakub:* If you are elected through the general electorate and the Muslims are returned through their separate electorate, will there not always be a danger from the Muslims? Your representative will always vote for the Hindus, because you look to their votes?—The representative of the Indian Christian community will vote for the right thing, not because the Hindus want it or the Muhammadans want it.

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Memorandum submitted by Dr. NARSEH CHANDRA SEN GUPTA, M.L.C.

I

In answering the questionnaire, I think it necessary at the outset to make my general position clear lest it should be misunderstood. I have answered the questions subject to the limitations imposed on the enquiry by the committee. The first of these limitations is that communal electorates must be accepted as a working hypothesis. I entirely disagree with the view (1) that there should be separate communal electorates in Bengal, (2) that these electorates should return members to the Council proportionate to their respective populations. I am wholly and unalterably confirmed in the view that there should be one common electorate and whichever candidate happens to secure the largest number of votes should be returned.

The position of the British delegation and the British Government at the Round Table Conference, as I understand it, is that this is a matter which the different communities in India must solve for themselves. I thoroughly appreciate this idea.

I do not think that there is much likelihood of the members of the Round Table Conference arriving at an agreed solution on the question. But that need be no reason why the solution of the question by properly accredited representatives of the communities should be shut out for ever. When the new Councils are elected we should have such a body of accredited representatives who should not only have the power but should have a really effective opportunity to find a solution of the question. In order to leave open the door to such a solution, the only possible course, unless a satisfactory agreed solution is arrived at now, is to leave the question where it is now and to proceed with legislation now on the basis of the *status quo*.

In other words, if communal representation is retained, (1) each community should have the same proportion of seats as they now have, and (2) only those communities which now have a separate representation

and no others should be recognised. This, I submit, should be the only basis on which the Franchise Committee with its limited powers should proceed, not because the present arrangement is the best or even reasonable, but because the present arrangement should be kept on in order to leave the door open for a future settlement without pledging the future to any further commitments on either side.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF FRANCHISE.

(*a*) The extension of franchise, assuming that adult franchise is ruled out, should be on lines which would ultimately lead to adult franchise automatically. In my judgment the best method would be to give the franchise to all adults who are barely literate, that is to those who can read ten lines of simple prose in any language.

It is not my purpose that any one who has the franchise now should be disfranchised. I should include every person whose name is now on the electoral roll and add every adult who is literate. It is impossible to calculate what the strength of the electorate will be on this basis, but I suppose it will be near about 10 per cent. But by the time of the next revision of the electoral roll the number will automatically increase to a figure decidedly above 10 per cent. and in the long run will practically give adult franchise.

I shall discuss this matter further in connection with the question regarding franchise qualifications.

(*b*) Not in an ideal sense; but for practical purposes they would. The ignorant village people of Bengal are not as stupid or ignorant as is often supposed. In any case the electorate on the basis suggested above would surely not be less capable than the present voters.

(*c*) I am not competent to offer an opinion on this question, but I imagine that it would be possible to manage the suggested electorate, specially having regard to the fact that with an increase in the number of members elected the present electoral areas will be split up into more manageable units.

(*e*) The scheme I have suggested would automatically provide for expansion of the electorate and no further extension need be made immediately.

(*f*) I do not think the system of group voting would serve any useful purpose. On my scheme almost every person who takes an interest in his vote will be roped in now or by the time of the second election. The introduction of group voting would involve many complications in theory and practice which, in the circumstances, does not seem to be called for.

In any case there can be no question of such group electors voting in a different constituency. I cannot conceive of any principle or any considerations of expediency to justify the creation of separate constituencies for this class of people.

(*g*) The question does not arise on my view.

2. FRANCHISE QUALIFICATIONS.

(*a*) The disparity is very great. The tests now applied are the payment of (*a*) chaukidari tax or union rates, (*b*) cesses, and (*c*) municipal rates. The difference in the incidence of these taxes is incalculable, but they are obviously very great. In Calcutta a large number of men are not eligible as voters who would be eligible if they were in the mufassal. In mufassal urban areas the persons who are excluded because they do not

Memorandum by Dr. NARESH CHANDRA SEN GUPTA. [*Continued*

pay Re. 1-8 as municipal rates would very often be found to belong to a class who are fully eligible in villages.

I do not think that any scheme can be entirely satisfactory in securing complete parity between urban and rural areas in the matter of voting qualifications, so long as you proceed on the basis of property or tax-paying qualifications.

Besides, tax-paying qualification is unsatisfactory for various reasons. In the first place, no matter how long you fix the qualification, you will exclude a large class, not because they are less capable or less intelligent but because they have not enough property. In this way you give political power to the "haves" against "have-nots." The poor and the propertyless are thus barred out of the means of securing any change by which their economic position, for which they may not be to blame, may be improved.

In the second place, the tax-paying basis is wrong in this that in most places it will be found that the man who pays the tax gets it out of those who do not. The landlord who pays the revenue is merely paying what he has got out of the tenant. It cannot be consonant with the highest principles of justice that political power should be given to those who collect and hand over taxes really contributed by others.

Thirdly, the Round Table Conference having accepted the principle of adult suffrage, it is not permissible to introduce a principle of restriction which cuts at the root of that principle. The right to vote on the basis of adult franchise vests in a man by reason of his being a subject. It is permissible to introduce temporary limitations on the exercise of that right on the basis of presumption of capacity or otherwise for the exercise of the vote, but certainly not on the basis of property holding which is inconsistent with the fundamental assumption of adult franchise.

I am therefore of opinion that the only restriction that can be validly adopted is one founded on an educational test. In favour of such a limitation it may be said that it is only men with a certain minimum of education who have developed a political consciousness and that the grant of franchise to such men would satisfy a felt want. And it is these men primarily who can effectively exercise their votes with a reasonable amount of understanding.

A high educational qualification, however, would be obnoxious, as it would tend to create a privileged class who might seek to retain a monopoly of education and consequential political rights. If the qualification is set down very low, this objection would disappear.

I should therefore suggest that in the first place all persons whose names are now on the electoral roll should continue to have the vote and secondly in addition to them all literate adults, *i.e.*, those who can read a page of simple printed prose in any language, should be enfranchised. It will cause no heart-burning. For the man who may be shut out in the first elections may, if he is really keen on his vote, easily get himself enfranchised at the next revision of the electoral roll.

This test should, in my judgment, be applied to all men, irrespective of locality, creed or sex.

(*b*) The question involves a contradiction in principle. If separate electorates are retained, it is wholly immaterial how many men of each community are enfranchised, for each community would then vote separately and the number of voters of one community would have no influence upon the election of candidates of the other. It is only if there are joint electorates that the question of relative voting strength becomes relevant and important.

The only other way in which the question may be of importance is upon the assumption that the number of members assigned to each com-

munity should be proportionate to the number of voters in the community. This, I do not think, has been suggested.

The prime consideration in fixing the franchise ought to be to find out a test which could be uniformly applied without unduly shutting out anybody. The suggestion conveyed in the question is that the franchise should be fixed, not with reference to this but to the question as to how many men of each community would be enfranchised under it. In that way you cannot arrive at a fair and reasonable test.

The suggestion which I have made may or may not yield the result that each community should have a voting strength proportionate to its numbers. But it will leave the door open to every community to put on the electoral roll its full complement of adults, and the pace at which this will be achieved will depend upon the enterprise of each community. It seems to me that this test will give to every community its due without any artificial manipulation of the test for producing an extrinsic result.

(*c*) I have said before that I consider property qualification as unjustifiable. Besides, as already observed, it is very unequal, and cannot but be unequal in the absence of any uniform measure for all.

(*d*) See above under (*a*).

(*e*) Military service ought not to be a qualification for a vote if other forms of social service are not. There seems to be no good and sensible reason why the cultivator who feeds the community, the weaver who clothes them and the policeman who protects them from day to day should not have a vote as such, while the soldier who, on rare occasions defends the people and is as frequently employed in homicidal exploits which are of no use to the community should have a special vote as such. While continuing the franchise of those who are already on the electoral roll, I should therefore abolish the system for the future.

I am all in favour of a scheme of franchise based on service to the community and would welcome the distribution of franchise on occupational basis as in Soviet Russia, but I do not expect people in India would be prepared for such a wide departure from English precedents.

3. WOMEN'S SUFFRAGE.

(*a*) If my suggestions with regard to franchise qualifications are accepted the question would not arise. If property qualifications are retained, the suggestion of the Statutory Commission should be adopted.

(*b*) I am against separate constituencies for women because women as such do not represent a separate political interest. But suitable methods for recording votes must be devised to give facility to women to record their votes consistently with existing social customs.

4. DEPRESSED CLASSES.

Depressed classes as such are not a definite class, but a group of classes with only this much in common that they suffer from a greater or less degree of social degradation.

The suggestions I have made above would give ample facility to the depressed classes, if they so choose, to send representatives of their choice. If the facilities at the start are inadequate, they will be made fully adequate by the time of the next election.

The term depressed classes in Bengal is one which may defy definition. And, as a matter of fact, with the extension of education the division is gradually losing rigidity. There was a time when Shahas might in a sense be called a depressed, though wealthy, class. They are no longer so. The Namasudras, at one time a much despised and depressed community, have

in some places made rapid strides and with education and economic advancement they have surely ceased to be depressed. At the present moment while there is one nominated Namasudra member of the Council, there are three others who have been elected by non-Muhammadan constituencies. This gradual upward rise of the various depressed communities has been so marked in recent years that a separation of these communities with the brand of depression on them would be a definitely retrograde step.

What is needed is that the progress of these communities in wealth and education should be maintained and accelerated. If only these classes grow in wealth and education, the social barriers which are already visibly relaxing would cease to keep them back from exercising full civil rights.

To ensure a maintenance and acceleration of the progress of these classes my suggestions are—

(1) The literacy franchise which will give a large and growing electorate who would exercise a determining influence on votes.

(2) Guaranteed educational facilities and a special board for backward classes, with a programme for expansion of education and economic development with a statutory grant for the purpose.

(3) Guarantees of political equality and freedom from obnoxious social restrictions

5. REPRESENTATION OF LABOUR.

The suggestions made by me with reference to the extension of franchise will enable the bulk of labourers in every constituency to become voters in general constituencies along with all other classes.

That is not an ideal mode of representation of labour, as in such constituencies, labour votes will be greatly diluted and occasionally swamped by non-labour votes.

But the alternative to that would involve wide and sweeping changes in the whole system of electorate. The only satisfactory mode of representation of labour is representation by classes. For this purpose workers of the same class should be grouped together to form a constituency and each factory should form a separate voting centre.

If this mode of voting is adopted for factory or plantation labour, there is no reason why other workers should not have similar privileges. The agricultural labourers and cultivating tenants ought to be a separate constituency. Clerks, policemen, sweepers and other working class should then be grouped into constituencies on the basis of their occupations.

I should myself welcome a system of representation by occupational groups which would give a few more real representation of the people than voting by local groups and altogether obliterate the irritating questions of communal representation. But I feel that the country is not yet familiar with this idea and it may not find acceptance with the majority of local people.

As an experimental measure representation may be given to a few groups of workers. A beginning may be made by creating a few labour constituencies in Calcutta and the suburbs, voters at these constituencies being thereby disqualified for voting in the local electorates.

II.—FEDERAL LEGISLATURE.

(*a*) I agree with this view.

(*b*) No, I think the franchise should be the same.

(*c*) I am afraid that the difficulties in the matter of canvassing and polling have been somewhat exaggerated. In any case the difficulty would

not be greater than at present. Considering that the number of elected members would be doubled, the area of the constituencies would necessarily be reduced to about half their present area.

I frankly recognise that at the present moment the difficulties are not small and, if possible, some means should be found to reduce the electoral areas to manageable bounds. But the problem is less urgent in the case of the federal representatives than in the case of the election of representatives to the Provincial Council.

I am opposed to indirect election. But if there is to be indirect election the constituency should consist of the elected members of all local bodies including members of district boards, local boards, union boards and municipalities.

7. *Women, labour and depressed classes.*—In case there is direct representation, the arguments I have advanced in connection with Provincial Legislatures would also hold here.

If on the other hand elections are to be indirect, it is quite possible that these classes, will not be able to have their influence at all felt in the elections. In that case, it will be necessary to have a certain number of electoral colleges for electing representatives of these classes.

II.

Answers to Supplementary Questions.

I am definitely against voting through secondaries. I should welcome the immediate adoption of manhood franchise if it is feasible, but to give the vote to all and limit its exercise to voting through representatives seems to be taking away with one hand what you give with the other. The arguments put forward by John Stuart Mill in his "Representative Government" against two stage elections have not been and cannot be answered.

It is true that in recent times new institutions have sprung up in many Countries in which votes are given through representatives. This is the case in Turkey, Egypt and in the new constitutions of Iraq and Palestine. And a much stronger case is that of Soviet Russia.

I am not sufficiently familiar with the conditions of those countries to pronounce an opinion on the suitability or otherwise of the system for those countries.

I am very strongly of opinion however that such a system would be extremely unsuitable in the greater part of India at the present day.

Where society is organised in primary social or economic groups like clans, village communities or soviets, where individualism in other words has not yet asserted itself an organisation of the Government on the basis of such groups or any other groups which would more or less correspond with them as the primary units may not only be suitable but may even be the only practicable method. In such places a voting system which cuts through the organism of the primary groups and seeks to get at the individual may be a dismal failure. In Iraq and Palestine at any rate, the Arabs are most of them grouped in clans which are living realities. A polity based on the recognition of these or other similar primary groups would therefore be undoubtedly extremely suitable for those countries.

In Russia the village community was always very strong. And the strong tendency for group life among the Russians became reflected in the strength and vitality of the soviets of workers when they were formed. Before the revolution these soviets were already a potent force and when the revolution was accomplished these soviets had assumed all power in the factories and village soviets have appropriated all land in the villages. And the October revolution was in fact an assumption of all power by the representatives of these soviets who refused to convoke any other constituent assembly.

Memorandum by Dr. NARESH CHANDRA SEN GUPTA. [*Concluded.*

The object that the Soviet Government had in view in framing their constitution was to establish a dictatorship of the proletariat and to keep out of the government all non-soviet elements. This purpose could only be served by making the soviets the basis of the electorate and to frame a scheme by which all opposing elements and factions would be filtered out by the elections at various stages and power concentrated in the hands of one party only. For that purpose election by multiple stages was eminently suitable and the system has worked satisfactorily only because at the base of the whole constitutional edifice were the primary soviets which were living organisms.

In India of the eighteenth century group life was the most dominant factor. If a constitution were framed for India at that time, election by these group units would not only be most suitable but practically the only feasible course to adopt. But from the close of the eighteenth century onwards, the British Government followed a policy which systematically broke down or devitalised the group-units. From that time onwards the systems of administration, economic organisation, education and conditions of life generally have built up a new society in India in which group life has ceased to exist except in remote regions where it is dragging on a weak and sickly existence. The old group life cannot be replaced by artificial groupings for electoral purposes which can never have the homogeneity and solidarity on the basis of which alone group elections could be successful. India is now as strongly individualistic as most countries in Europe and a scheme of the constitution based on the negation of this individuality and upon a groundless assumption of vitality in the primary groups will not be a success.

Besides, in India now, for more than a decade and, in the case of Muhammadans, ever since the Morley-Minto reforms, direct representation had been in existence, an appreciable percentage of the people have become used to casting their individual votes in favour of the candidate of their choice directly. To go back to the group system now would mean depriving these people of a valued civic right and is bound to be strongly resented In Egypt, Palestine, Iraq or Russia they had to work on a *tabula rasa* and in introducing group elections they were not only not going back upon any established rights they were in fact building upon the existing social structure.

For these reasons I am most strongly opposed to the idea of election by groups as suggested in the questionnaire.

Dr. NARESH CHANDRA SEN GUPTA, M.L.C.

1. *The Chairman:* I understand that you are very strongly in favour of abolishing the property qualification?—Yes, without disfranchisement of those already on the roll.

2. Would you develop your reasons?—The reason is this. I would have adult franchise. I don't think it to be absolutely unworkable, but having regard to the fact that the Round Table Conference practically decided that adult franchise was to be the goal, you ought to work up to it, and the only possible principle to adopt is qualification by literacy. In this way the electorate automatically expands and brings in the adult population. If you impose property or other qualifications, it could only be by another Legislative Act that you could remove the disqualification. One could not acquire franchise by one's own efforts, if there were a property qualification, but if a person is keen on getting a franchise, on my scheme, in the course of three years he would acquire the requisite amount of literacy so as to be able to vote at the next election. That is the only way of working up to adult franchise.

3. In other words your franchise should be conterminous with literacy?—Yes.

4. Would that amount to 10 per cent.?—I have not examined what the actual effect would be. No figures would be available, because we don't know how many of the literate are already included.

5. What is the literate population of Bengal at present?—Less than 5 per cent.

6. You recognise that your proposal would disfranchise very few women, because there are very few women who are enfranchised by reason of their property qualification, and the number of literate women is less than that of literate men?—The test I have proposed is very elementary. I think that by that test the number of men would not be very small, and then it would expand automatically.

7. What would be the qualification of literates?—I would impose this, that anybody who can read a page of the simplest printed prose would be said to be literate.

8. You mean every voter should go in front of the registration office and be able to read there?—No. You would have your roll prepared by a proper officer. Then if there is any objection with regard to anybody let him come before the presiding officer and read a page, and so get qualified. If a person is not on the roll he can apply for admittance to it.

9. How would he originally get on the roll?—My idea is that the village local bodies would make a preliminary roll and would know who were literate and who were illiterate.

10. You say that your scheme would give adequate representation to the depressed classes?—Not immediately, but in the course of the next election.

11. I understand that one of the characteristics of the depressed classes is that they are very backward in education at the moment?—Yes, but they are going ahead.

12. Therefore, by your proposal the members of the depressed classes would receive very little representation in the Council?—I don't think so, because at the present moment many depressed class persons are already in the Council. The only form of expansion I propose is by the addition of literacy. I don't want to put out anybody. If it is suggested that there should be a lower property qualification I would not quarrel with that. I say, in addition, that those who do not pay a single pice may come in.

13. You have heard of the proposal of the Franchise Committee of the Round Table Conference that the portion of the population which is not qualified whether by property or otherwise should elect one out of 20, with a view that the whole population should have some voice in the legislature? Do you think that would be a good plan?—Not a good plan in the abstract. But if you put a large number out of the electoral roll I certainly consider that they should exercise the power of franchise in that form. But I say that it is not a good plan for the purpose of election.

14. You would not object strongly to it as a method of securing some representation of the whole population, say, until such time as universal franchise becomes a practical possibility.—I have no serious objection to it.

15. *Dr. Ambedkar:* Do you represent yourself or some association?—I am representing no association.

16. What position do you occupy in life?—I am an Advocate of the High Court, a member of the Legislative Council, and Secretary of a Ryots' Association.

17. *Sir Sunder Singh Majithia:* You say: "I do not think that any scheme can be entirely satisfactory . . . so long as you proceed on the basis of property or tax-paying qualifications". Would you give some reasons for it?—To base your franchise on a property qualification would be giving

political power to the "haves" against "have-nots". I do not think that the possession of property gives them the right to political power.

18. Do you recognise that it has been like this up to this time?—Yes. But I would allow all people who have the franchise to have it, but this additional test would give us an additional number of voters.

19. Further on, you say that you are not in favour of any military man as such having the franchise qualification. Why?—There is no reason why he should have. If the military man has it, because of the service he gives to the State, then the cultivators ought to have it, as such, the policeman, as such, the clerk, as such, since their services are not inferior to that of the military man.

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20. I find that you call the soldiers' services "homicidal"?—Oh no. You could not exploit my statement. What I have stated is only this:

> "(*e*) Military service ought not to be a qualification for a vote if other forms of social service are not. There seems to be no good and sensible reason why the cultivator who feeds the community, the weaver who clothes them and the policeman who protects them from day to day should not have a vote as such, while the soldier who, on rare occasions, defends and is as frequently employed in homicidal exploits which are of no use to the community should have a special vote as such."

21. You are for the grant of franchise on "occupational basis"?—In Soviet Russia labourers in factories are formed into Soviets on the basis of community of occupation. So also, the agriculturists in that country are grouped into Soviets. If you adopt that principle here and say that you will have the labourers in jute mills grouped and treated as a constituency, I am quite willing to have it. Similarly for cotton mills you can have a constituency; for clerks, another constituency; for policemen yet another constituency and so on. If you go on like that, I will be quite willing.

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22. *Mr. Rahman:* You advocate literacy as an additional test for the grant of franchise?—Yes.

23. Don't you think that this additional qualification will shut out a very large number of people who ought to be electors?—I am not for shutting out anybody.

24. But don't you think that the effect will be the shutting out of a large number of cultivators and depressed class people?—They will come in by other qualifications. I want the literacy test to be an additional qualification.

25. But then those who are qualified for the vote at present are only 3 per cent. of the population?—Yes.

26. The additional qualification you are suggesting for enfranchising the remaining 97 per cent. of the population is literacy?—I have already qualified it in this way: if you think that you could have a lower property qualification which will enfranchise a larger number of people, I am quite willing to have it also.

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27. *Maulvi Tamizuddin Khan:* Are you in favour of giving special representation to landholders in this province?—No. I am for no special representation.

28. For any interest?—For any interest.

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Memoranda submitted by Dr. RADHA KUMUD MOOKERJI, M.A., P.R.S., Ph. D., Professor and Head of the Department of Indian History, University of Lucknow.

Letter from Dr. Radhakumud Mookerji, M.A., P.R.S., Ph.D., Professor and Head of the Department of Indian History.

I am submitting to you herewith a printed copy of each of my two Memoranda on some of the topics of your enquiry and shall be glad to give further evidence, if I am called by the Committee.

The Problem of Indian Minorities by Dr. RADHAKUMUD MOOKERJI, M.A., Ph.D., Professor of Indian History, Lucknow University.

Minorities exist not merely in India but in most of the States of Europe. The consideration and solution of their problems in all their possible bearings and conceivable complications bulked largely in the schemes of post-War reconstruction and settlement adopted by the common consent of the leading Powers of the world by the League of Nations. What are known as the Minorities Guarantee Treaties form important and integral parts of the many Peace Treaties concluded between the Powers concerned through the instrumentality of the League of Nations to whom belongs the authority to enforce those Treaties. So much business has naturally arisen in connexion with the duties and obligations the League has undertaken in this regard that it has had to establish a separate section in its Secretariat called the Minorities Section to cope with that business. The main part of this business is the receipt of complaints connected with the provisions of Minorities Treaties for which a regular procedure has been set up within the administrative machinery and organisation of the League.

It will thus appear that all problems connected with Minorities in all their variety and complexity have been finally solved, settled, and closed for a large part of the world, for practically the entire civilised world of those Powers or States (numbering 54 up to 1st July, 1928) that have registered themselves as members of the League of Nations. India is also one of these, nay, she is an original member of this League who has herself taken her full share in the deliberations and conversations of the Peace Conference at Paris which led ultimately to the formulation of the Minorities Treaties. But not only is the problem of Minorities solved for the rest of the world. The solution now forms the very basis upon which rest the new states and constitutions of Eastern or reconstructed Europe.

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All these treaties binding so many States and peoples in the new order established in Europe embody a common treatment, a universal and standardised solution of all possible problems presented by Minorities, produced by the collective wisdom and statesmanship of the world as represented in the League of Nations. It will also be observed that they use the same standardised wording as the expression of a common understanding for the provisions pertaining to Minorities.

If we analyse these provisions, we shall find that they answer all the points and problems presented by Minorities in India, and *that* in the precise, logical and legal language of jurists who are considered as experts and specialists by the League of Nations. Some of the questions that are settled and solved in these Minority Treaties are indicated below.

I. *What is a Minority?* The first step taken in these Treaties is to define the Minority that is legally eligible for special treatment and protection outside the common administration of the state. It is a grave and serious posi-

Memoranda by Dr. RADHAKUMUD MOOKERJI. [*Continued.*

tion for any group of citizens of a modern state to claim, and to be permitted, to organize itself as a separate entity on the basis of special rights and privileges. Therefore, it was felt that the term *Minority* should be applied under certain understood conditions. These are: (1) That a Minority must differ from the majority of the citizens of a state in such fundamental matters as (*a*) *Language* (*b*) *Religion and* (*c*) *Race* [Article 93 of Polish Treaty of 28th June, 1919]; (2) That a Minority must come up to a certain limit as to *size*. All the Treaties require the Minority to constitute "a considerable proportion of the population." A mere *microscopic* Minority does not come within their purview. Indeed, that the Minority must be possessed of an adequate strength of numbers will be evident from the assumption that it must be numerous enough to keep alive and promote a separate language of its own. Some of the Treaties also define what is meant by the expression "*considerable* proportion of the population." The proportion is much larger for local areas, and is lower for the state as a whole. For the state as a whole, the numerical limit for a Minority is fixed at 25 per cent. in the Polish Republic, at 23 per cent. to accommodate the German Minority in Czecho-Slovakia, and at 20 per cent. in Hungary. The limit of 20 per cent. is, however, recognised as the irreducible minimum in these international stipulations [see p. 120 of Mair's *Protection of Minorities*, London, 1928]. As regards local areas, the numerical standard laid down in much higher. The theory seems to be that a Minority is not at liberty to distribute itself through a province or district in any way it likes. If it is desirous of special treatment, it should appear in larger numbers; it should congregate and concentrate in certain areas, to render such treatment administratively and economically feasible. It must so distribute itself through the different parts of a province that it registers everywhere a certain degree of density and does not dwindle anywhere into thinness that is not recognisable. The requirement in this regard as embodied in one of the constitutional stipulations (the Hungarian Decree of 1919) is that Minorities must "live in sufficiently considerable compact masses in the territory of the state." The Esthonian as well as the Hungarian constitution definitely lays down that a Minority should convert itself into a majority in the areas in which it claims special treatment. The significance of this provision will be understood from the fact that Esthonia as a whole has a minority forming only 12 per cent. of her total population, and this small Minority is itself a heterogenous and composite composition comprising 1·7 per cent. Germans and the balance Russians and others.

The League was not content with laying down these numerical limits merely theoretically. Cases are on record to show that it strictly enforces these limits. In one district in Poland, the Government "forced the children of German-speaking parents to attend Polish Schools" on the ground that the Germans concerned failed to form "a *considerable* proportion of the population," as required by the Treaty. Similarly, the Lithuanian Government took advantage of decrease of numbers shown in the last Census to deprive the Polish Minority of their rights. The Austrian Government took the same action against the Czech Minority whose complaint to the League of Nations failed, because "they considered that the population of Czechs was not in any part of Austria sufficiently large to enable them to claim special privileges [pp. 93, 102, and 103 of Mair's book already cited].

As a result of these international decisions, the Indian position in respect of Minorities is as follows:

(*a*) For India as a whole, for purposes of her central or federal Government, the Moslems forming about 24 per cent. of the total population constitute a legally eligible Minority.

(*b*) In the provinces of India taken separately, the Moslems are either in a majority, or in a minority too small for recognition, as in the U. P., Bihar, Madras, etc.

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(*c*) The Minority problem becomes a Hindu problem in the Provinces like Punjab and Bengal where the Hindus form more than 45 per cent. of the total population, a much higher proportion than the prescribed international minimum.

Thus the definition of a Minority as fixed by the League of Nations is (*i*) that it must differ from the rest of the citizens of the state in Race, Religion and Language and (*ii*) that it must be in *considerable* numerical strength in the country, at least 20 per cent. of the population, and in larger numbers in local areas.

II. *What is the kind of protection permissible to a Minority?* When these two conditions for eligibility are fulfilled by a Minority, the League defines the kind and degree of protection to which it is entitled. The protection in all the Treaties is invariably threefold: *Religious*, *Racial* and *Linguistic*. The protection is strictly confined to these three aspects. No recognition is given by the League to any other kind of Minority, political (such as Liberals or Communists), social (like Brahmans, non-Brahmins or depressed classes); or economic (peasants or industrial labourers).

The theory of Minority protection behind these provisions of the Treaties is that the *protection* is not permissible for any artificial or accidental aspects or features which a Minority may assume or acquire in its career. It is meant only for its native, inherent, and fundamental features, its cultural characteristics. These must be protected, so that the minority may enrich the culture of mankind by developing its own distinctive culture. But the State cannot encourage superficial differences or artificial and interested groupings not rooted in history or tradition.

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The fundamental principles of Minority Protection as illustrated and embodied in the Treaties and as expounded by some of the authors of those Treaties, thus definitely rule out the device of any communal, reserved, or separate electorate and representation as legitimate means of Minority Protection, nor do they recognise the existence of separate interests of Minorities in matters of public service and administration. No such Minority or communal demands have been conceded in any up-to-date constitution of the West including that of Turkey.

Sometimes the case of Canada is cited in support of these communal claims. But it is done in ignorance of Canadian history. No doubt, Canada offers a parallel, and, perhaps, more than a parallel, to India in the extreme communal bitterness and hostility culminating in complete social estrangement between the French and English citizens for a long period. But when the time for a settlement came and a new constitution was introduced on the lines of Lord Durham's celebrated report, it boldly provided for a common electorate which quickly achieved its expected success in promoting the friendliest relations between the two peoples. The same history repeated itself in South Africa where the Boers and the British, after fighting out their differences in a bloody war, settled down to a common constitution based on a common electorate, neither claiming any special protection even for its linguistic, racial, ethnological, cultural or historical differences. But a more appropriate case may be cited nearer home. Lord Donoughmore's Committee for Ceylon Reforms has done away with communal representation in the legislature, stating that "it tends to keep communities apart and to send communal representatives to the Council with the idea of defending particular interests instead of giving their special contribution to the common weal."

In conclusion, it may be noted that the Indian problem of Minorities is not certainly more difficult or complicated than the problem in Europe where it had been a burning problem for years until it led to the conflagration of the Great War. The Peace Treaties and post-War reconstruction tried to

reduce as much as possible the discontents of Minorities by the creation of new states with ideal compositions. But even in these states composed of majorities artificially obtained, the outcome of Treaties dictated by the victorious Powers, the conditions as regards Minorities are not better than those of India. The new Polish Republic, for instance, has been able to start with a majority of only 69 per cent. for the Poles after whom the state is named; the Serb-Croat population of Yugo-Slavia forms a majority of only 73 per cent., the Czecho-Slovak state has to deal with the German Minority of 23 per cent., a Minority that yields to no other Minority in the world in culture, power, influence and claims for special treatment. But India has an indigenous majority of 75 per cent. Secondly, it is to be noted that there is no special reason why the common solution evolved in Europe of the problems of Minorities for application to all countries concerned should not apply to India who has herself approved that solution for other countries in the Treaties which she has signed and guaranteed as an original member of the League. And, finally, let it be noted that this common solution which has practically established the international law on the subject has been found adequate and acceptable even by the German Minority whose claims to special treatment and protection mark the limit of such claims [pp. viii-ix of Professor Gilbert Murray's Introduction to Mair's book cited above.] Let us not, above all, even in this matter, give in to the cheap assumption that what is good for Europe is not good for India!

The International Solution of the Problem of Minorities by Dr. RADHAKUMUD MOOKERJI, M.A., Ph.D.

India has not the monopoly of Minority Problems nor should she be at pains to find their solution in isolation. The problem of Minorities has been a more burning problem in Europe where it had led to the conflagration of the Great War. Its proper solution was, accordingly, one of the indispensable conditions of peace. The Great War was fought to end all War by the establishment of peace on stable foundations. The structure of an enduring peace depended upon the solution of three problems, *viz.*, (*a*) Self-determination, (*b*) Minorities and (*c*) Disarmament. The problem of Disarmament is yet to be solved, but the other two problems have been solved. Much of Europe has been reconstructed on the basis of the principle of self-determination which has been given effect to as far as possible by (*a*) the creation of new States like the Serb-Croat-Slovene Kingdom or (*b*) the alteration of the boundaries of old States, so that each such state might be composed as far as possible of one homogeneous race or people with the exclusion from it of all alien elements. But history is not made to order. It was impossible to exclude completely all alien elements from these ideally composed States which still carried with them important Minorities and communities differing deeply from the rest of their fellow-citizens. Thus, for instance, the new state of Czecho-Slovakia had to include an influential German Minority of 23 per cent. and the new republic of Poland with its historical hostility to the Germans has been composed of a Polish Majority of only 69 per cent. and German and other Minorities. Therefore, the Allied and Associated Powers such as England, France, the Dominions of the British Empire, Italy, Japan and India, who assembled at the Peace Conference at Paris had to apply their collective statesmanship in evolving a satisfactory solution of the Problem of Minorities as a factor of World-Peace. This solution was then standardised in the form of a regular Minorities Guarantee Treaty which the states of re-constructed Europe that had to deal with Minorities were called upon to sign by the Victorious Powers. In this way, this Minorities Guarantee Treaty has been signed now by nearly 20 different sovereign states of Europe like Germany, Austria, Hungary, Czecho-Slovakia, Yugo-Slavia, Greece and Turkey, each forming one party to the contract and

the other party to the contract is the comity of Nations like England, France, Italy, Japan, the Dominions of the British Empire, and India who, as Victors in the Great War, dictated the terms of Peace.

But not only did the victorious powers aforesaid impose the Minorities Guarantee Treaty upon the different States of Europe to build up the structure of Peace in the world. They entrusted its enforcement to the League of Nations, the most important fruit of Peace, of which they are the original members. They further laid down the International Law (*a*) that the problem of Minorities was to be treated "as a matter of international concern and not as the domestic concern of any individual sovereign State," and (*b*) that the membership of the League of Nations depended upon the preliminary acceptance of the Minorities Guarantee Treaty by the applicant State concerned.

The League of Nations, therefore, now functioning as the guardian and guarantor of World-Peace, with all the dignity and authority that have come to it from its membership numbering 54 different States making up practically the entire civilised world, has now opened a separate section in its Secretariat at Geneva called the Minorities section which deals with all questions that may crop up in connection with the working of the Minorities Guarantee Treaty in the States bound by it.

Only the other day the case of the German Minority who complained against the Polish Government infringing some of the provisions of the Minorities Guarantee Treaty came up for consideration by the Council of the League of Nations. The British Foreign Secretary, Mr. Arthur Henderson, presiding at that meeting of the League Council in January last, after an amicable settlement of the questions at issue was reached between the representatives of the Germans and the Polish Government, emphasised that "the system of the protection of Minorities inaugurated by the League of Nations was now *a part of the Public Law of Europe and of the World*". [Monthly Summary of the League of Nations for January, 1931.] And, more recently, following up this statement of Mr. Henderson, Mr. Isaac Foot, M.P., a member of the Liberal Party's Delegation to the Round Table Conference, has declared that he finds no objection to the reference of the Indian Minorities Problems to the League of Nations

Over and above this, there was a formal motion some time back before the League of Nations to the effect that all the states-members of the League should sign the Minorities Guarantee Treaty which some of them had been compelled to sign. On this motion, the French Government's representative, M. Jouvenel, explaining the position stated that "he could readily understand that States which had signed Minorities Treaties should think it unreasonable that other had not done so. He was quite ready to present the excuses of his own country. France had not signed any such Minorities Treaties *because she had no Minorities*. To find Minorities in France, they would have to be created in imagination". This statement certainly implies that if there is any state-member of the League, like India, which *has* Minorities, it must sign the Minorities Treaty which it has called upon other States to sign.

The legal position emerging out of the aforesaid facts and considerations, therefore, is (*a*) that India and His Majesty's Government, as victorious Powers in the Great War, are themselves primarily responsible for the Minorities Treaty to which they are themselves the high and contracting parties, contributaries, and signatories; (*b*) that they are instrumental in imposing that Treaty upon nearly as many as 20 sovereign States of Europe; and (*c*) that having, as victors in the Great War, devised the Minorities Treaty as a step towards universal Peace, they lodged this Treaty with the League of Nations to enforce its working and provisions in the States bound by that Treaty, like Turkey.

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When it is, therefore, suggested that India, being already legally committed to this international scheme for the protection of Minorities now left to the League for enforcement, should apply the scheme to herself, it should not be taken to imply that India is asked to invoke the arbitration of an external authority in a matter of her domestic concern and to take a step that is compromising to her national self-respect. The suggestion is quite the contrary: India is asked to apply to her own Minorities problem the solution which she herself has devised for other sovereign States like Turkey. She is asked to function in this matter in her high and dignified capacity as an original member of the League of Nations where her status is equal to that of England, France, Italy, or Germany, and not in her usual capacity of subordination to His Majesty's Government in England. She is asked to operate as a completely free and sovereign power in a sphere where her full freedom and sovereignty are legally established. She is asked to take full advantage of such a position of complete independence which she has acquired by her membership of the League of Nations carrying with it a higher international status than her membership of the British Empire. It was on her membership of the League of Nations that the *ex*-Secretary of State for India, Mr. Wedgewood Benn, laid a great stress in his memorable speech in Parliament that India had already secured "Dominion Status in action". The suggestion in question, therefore, enhances the prestige of India by asking her to adopt the solution of her Minorities Problem which she has herself framed and guaranteed as a member of the League, that Parliament of Man, to which the British Parliament itself is inferior in status, instead of permitting the British Parliament to force on her a solution.

And surely, apart from these legal commitments in the matter, the scheme by which India and England have bound down Turkey and so many sovereign States, and have reconciled so many militant minorities of Europe like the Turks, the Poles, the Germans or the Greeks, who are ready to go to war for their grievances and to fight out their differences—such a comprehensive scheme should be acceptable on its merits to India and to her many Minorities or Communities. Surely, India should not, for her national self-respect, isolate herself from the League and the rest of the world, and follow a line of her own in this matter, lest she sinks below the international standard in politics, as she has in many a field of Economics, Science and Culture. She must set her political clock by the world's chronometer. The friends of India's freedom should welcome the idea of India acting as an independent power in giving effect to her membership of the League by settling one of her own problems and removing a great obstacle to her progress towards Freedom and Democracy.

Indeed, it cannot be denied that the communal problem is the worst of India's political problems and may prove to be the rock on which the entire scheme of coming reforms might split. It is baffling a solution because each community is busy pushing its own claims to the limits, forgetting that a solution can only be a compromise between the conflicting claims of different communities in a comprehensive scheme. A much-needed warning was uttered in his own straight, downright manner by Mr. Stanley Baldwin, on the 26th of January last, in the Commons Debate on the Round Table Conference: "Perhaps there is no greater difficulty than that of adjudicating fairly and rightly between different races and creeds, principally between Hindus and Moslems. That is a spot on which all who wish ill to the agreement will concentrate".

The agreement referred to is the agreement contemplated to be arrived at in the course of the Round Table Conference. His surmise that those who bear ill-will towards India will concentrate on this point for wrecking it, is proving only too true. The question before us now is how to meet it.

The comprehensive scheme now in operation in so much of Europe including Turkey offers the only solution that can satisfy the different communities and minorities of India and the ideals of Freedom, Democracy, and

responsible Government for which they have been struggling and suffering in common. The ideal of Democracy now demands a further sacrifice, the sacrifice by each community of its own sectional point of view and separatist traditions and tendencies. Will not the different Minorities and Communities of India rise to this demand and answer the call of Freedom to which they have given so far such a splended response?

Now as to the international scheme for the protection of Minorities, its basal principle is to place different communities and minorities on a position of absolute equality with the rest of their fellow-citizens by removing all possible disabilities and inequalities, abolishing all distinctions, grounded on differences of Race, Religion, or Language between groups of citizens and nationals belonging to the same State. But it is not to create or to multiply fresh sources of inequality or widen the ground of differences between communities by means of special rights and privileges or artificial measures of protection. The position is best explained in the words of some of the original authors of the scheme itself.

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In pursuance of this fundamental principle, the League of Nations Scheme for the protection of Minorities rules out as legitimate means of Minority Protection such devices as are called separate or Communal Electorate, Reserved Representation or Weighted Representation, all of which are a negation of Democracy and completely incompatible with any kind of responsible Government. Some of the Indian Communities in proposing these particular protective measures forget that the end will be lost in the means, and the remedy much worse, than the disease.

The League Scheme, however, insists on a declaration of fundamental rights for all citizens irrespective of their linguistic, racial or religious differences.

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The Scheme of the League of Nations, besides declaring the fundamental rights assured equally to all citizens, lays down the principles and measures of legitimate Minority Protection.

First, a Minority is precisely defined. The definitions proceed on two conceptions: (*a*) Numerical and (*b*) Cultural.

(*c*) As regards the numerical conception of a Minority, it is to be noted that it is not economically possible to take cognizance of and legislate for microscopic Minorities. Therefore, the League requires the Minority to form " a considerable proportion of the population " to acquire eligibility for protection. The question of the minimum numerical strength for a Minority does not of course arise in connexion with the fundamental rights to which all citizens are equally entitled. But it does arise in connexion with the special administrative measures and arrangements necessary to protect certain defined interests of Minorities. These interests are Linguistic and Educational. So far as these interests are concerned, they are protected for a Minority that forms a certain minimum proportion of the total population, varying between 25 and 20 per cent. A Minority falling below the limit of 20 per cent. is not recognised as a Minority eligible for any special treatment on the lines prescribed.

The importance of the numerial test of a Minority will be evident from some cases on record. In one of the Districts of Poland, the Government " forced the children of German-speaking parents to attend Polish schools " on the ground that the number of Germans in the District was not sufficiently large to constitute " a considerable proportion of the population " as required by the Treaty. The Lithuanian Government took advantage of the Census Returns to deprive the diminished Polish Minority of their rights. On the complaint of the Czech minority in Austria to the League of Nations, the Austrian Government took the approved position that " they considered

that the proportion of Czechs was not in any part of Austria sufficiently large to enable them to claim special educational privileges [see Miss Mair's *Protection of Minorities*, pp. 93, 102 and 130].

Even now, according to the account of *The Times* correspondent published in *The Statesman* of 24th May last, the Census operations in Czecho-Slovakia have thrown the Czechs, the Slovaks, and the German Minority of 23 per cent. into a state of great political excitement. "The tendency on the Czech side is to increase, if possible, the proportion of Czechs to other races for purposes of propaganda; and to decrease the percentage below this level in towns and districts where Minorities have 20 per cent. of the population. The aims of the other races lie in the opposite direction." The Germans, on the other hand, are reported to have "arranged movements of their community from '*safe*' districts into others where the 20 per cent. limit was in danger for the purpose of saving the situation".

The extreme position in the matter of this numerical aspect of a Minority has been taken by the Estonian Republic which in Art. 22 of its constitution requires a Minority to convert itself into a *Majority* in the area in which it claims special linguistic protection. This Provision also appears in the Hungarian Constitution. A Hungarian Decree of 1919 also emphasises the general principle that Minorities must "live in sufficiently considerable compact masses in the territory of the State".

The numerical conception of a Minority is thus based on the general principle that a Minority is not at liberty to distribute itself through a country in any manner it likes. It must not dwindle in any area into the thinness of air but must maintain the degree of density defined or the prescribed standard of numerical strength.

(*b*) As regards the cultural conception of a Minority, a Minority is defined to be a group of citizens who differ from the rest of their follow-citizens in certain fundamentals falling under one or other of the three following fixed categories, *viz.*, (1) Race, (2) Religion and (3) Language. This means that a Minority can claim protection only for its inherent cultural characteristics, the development of which contributes to the culture of mankind. But such protection is not permissible for any artificial or accidental aspects or features which a Minority may assume or acquire in its career. The State cannot encourage superficial differences, or artificial and interested groupings not rooted in tradition or history.

Secondly, as a consequence of this cultural definition of a Minority, the protection of a Minority is restricted to the three grounds of Language, Race and Religion upon which depend its very recognition as a Minority. The League of Nations recognises only Linguistic, Racial and Religious Minorities and rules out Minorities forming on other principles such as *Political* Minoritise like the Liberals or Communists, or *Social* Minorities like the non-Brahmins, Brahmins, or Depressed classes and Untouchables or *Economic* Minorities like the Peasants or Industrial workers. The League Scheme does not permit *parties* to count as Minorities. Parties may differ and divide on live national issues such as Economic, Social, Political or Administrative, but the lines of such difference and division are not hard and fast ones, or permanent in any sense. The basis of the League Scheme of Minority protection is that a Minority can differ from the rest of the citizens only in Language, Race or Religion but *cannot* differ in any other matter. There can be no differences between citizens in matters Economic, Social or Political affecting their secular well-being as a whole and it is only these matters which are dealt with by the Legislature and Administration where, accordingly, there should be no place for any separate representation for any group of citizens through a separate electorate.

But the League Scheme provides for ample protection by statutory safeguards of those lines of cleavage between communities which are cultural and

spiritual and should not be blotted out. Differences of Language, Race or Religion are worthy of all respect and protection, but other kinds of difference, lying outside the province of these, in spheres of secular and material interests, are differences for the moment and cannot be allowed to harden by means of any constitutional expression.

As regards the Linguistic and Educational protection of a Minority, the numerical test is necessarily elaborated in the League Scheme. Broadly speaking, a primary community school is sanctioned for maintenance out of State funds in a village where there are at least 40 children of the community and a Secondary Community College, for 300 students.

As regards Racial protection, it means the protection of the particular social laws, manners and customs which are expressive of the racial distinctiveness of the Minority concerned. These are placed beyond the purview of the ordinary processes of the Legislature and Administration.

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The application of this Scheme of Minority Protection to the case of India will lead to the following conclusions:

(1) The Minority Problem is a Moslem problem for India as a whole of which they form about 24 per cent. of the total population, which satisfies the numerical standard laid down for a legal Minority by the League. Thus for purposes of the proposed Federal Government the Moslems must be recognised as a legal Minority. But the kind of protection that is permitted by the League is not a Federal subject but one to be administered by the Provinces which are to function as practically independent administrations in the coming Constitution. The Federal Government will of course stand out as the guardian of all protected Minorities and guarantor of the statutory safeguards established for their protection.

(2) The tables, however, are completely turned when we have in view the Provinces where the Minority problem is not a Moslem but a Hindu problem. In the Provinces, the Moslems are either in a majority as in the Punjab, Bengal or North-West Frontier Province, or are in a Minority too low for recognition, as in the Central Provinces, Madras, Bihar, Bombay or United Provinces. The Hindus form a legal Minority in both Punjab and Bengal where they are over 45 per cent. of the total population and considerably above the numerical limit of the League.

(3) If the Moslems are good enough to recognise that no case for their protection can arise in Punjab and Bengal where they are in the Majority, and have ample natural protection from the strength of numbers, the Indian Communal Problem loses most of its complications.

(4) There can be no case for the protection of a Minority in Legislature and Administration which do not recognise any differences between citizens but function for the secular well-being of all. Thus there is no case for devices like (*a*) Separate electorate, (*b*) Reserved Representation, and (*c*) Weighted Representation for which there is not a single precedent in any Western Constitution. These are also incompatible with any form of Responsible Government or Democracy.

(5) The differences between citizens which are recognised for administrative treatment are the differences of Language, Race and Religion. These are protected by statutory safeguards imposed on the constitution as inviolable conditions beyond the purview of the Legislature or Administration.

(6) Racial and Religious Protection is part of fundamental rights of citizens and independent of numbers or communities.

(7) But Linguistic and educational protection is a question of numbers. Communities like the Moslems, Hindus, Sikhs, Parsis, Christians or Jains must congregate in certain areas and conform to the numerical standard prescribed for claiming special Community Schools or Denominational Uni-

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versities out of state funds. On this basis, the Aligarh Moslem University, the Benares Hindu University, or the Amritsar Khalsa College, are entitled to state-aid. There will be a fuller expansion of Denominational or Community Schools under this scheme, replacing the godless education of public schools.

It may be noted that the French and the English in Canada were able to compose their fierce communal animosities and historic hostilities, and achieve a Dominion constitution for themselves by retaining as its condition the Separate Schools System under which they believe that the English and the French children will have better education in the special environment and atmosphere inspired by their respective religions, Protestantism and Catholicism. It is to be hoped that the Hindu-Moslem communal antagonism may be solved by a similar system.

In conclusion, the advocates of Communal, Reserved or Weighted Representation may be reminded of the noble words of the Prime Minister in his speech in the Commons' Debate in last January on the subject of the Round Table Conference, constituting his last official utterance on the subject:

"If every Constituency is to be ear-marked as to community or interest, there will be no room left for the growth of what we consider to be purely political organisations which would comprehend all communities, all creeds, all conditions of faith . . . . If India is going to develop a robust political life, there must be room for national political parties based upon conceptions of *India's* interest, and not upon conceptions regarding the well-being of any field that is smaller or less comprehensive than the whole of India. Then there is a modified proposal regarding that; a proposal is made that there should not be Community Constituencies with a communal register, but that there should be a *common* register, but that with a common register, a certain percentage of representation should be guaranteed to certain communities. It is the first proposal in a somewhat more attractive, democratic form, but still essentially the same.

"It is very difficult, again, to convince these very dear delightful people that if you give one community weightage, you cannot create weightage out of nothing. You have to take it from somebody else. When they discover that, they become confused, indeed, and find that they are up against a brick wall."

With these words may be recalled those of Edmund Burke for their abiding value:

"Parliament is not a Congress of Ambassadors from different and hostile interests, which interests each must maintain as an agent and advocate against other agents and advocates, but Parliament is a deliberative assembly of *one* Nation with *one* interest, that of the whole; where not local purposes, not local prejudices, ought to guide but the general good resulting from the general reason of the whole."

Is India to have a Parliament of this type or a Parliament of Religions?

Dr. RADHA KUMUD MOOKERJI, M. A., P.R.S., Ph. D., Professor and Head of the Department of Indian History, University of Lucknow.

1. *The Chairman:* It is not within the competence of our Committee to deal with the minority question as such. I wish to know your views on the group system. Regarding grouping you say it is acceptable to you on the following conditions:—

"(1) Grant of adult franchise to both sexes;

(2) Grouping should be on non-religious, civic principles based on residence and neighbourhood;

(3) Primary voters are to be brought together, ward by ward, or village by village, according to the usage at Union Board elections, to meet for the election of secondary electors or delegates who are to elect members for the Legislatures. For these special elections by primary voters the existing machinery of Union Boards is to be utilised for economy."

You agree with what has been put forward by various people, namely, that supposing by even expanding the existing direct qualifications for voters we find it impossible to enfranchise 10 per cent. of the population as against the present 3¼ per cent., it would be better to group the whole of the population into twenties, each of which is to elect a Mukhia who will be placed on the electoral roll and thereby give the whole population some voice in the affairs of the State?—I would not sacrifice the advantage of direct election except for the sake of adult franchise. And I consider that adult franchise would not be workable except through the group system and therefore I have laid down the conditions under which the group system must be made to work.

2. Do you propose to abolish the direct vote altogether and have a universal group system?—For the sake of adult franchise I would agree to the abolition of the direct vote.

3. For that reason you think that no special representation is necessary?—No.

4. For women and for depressed classes?—Not in my scheme of things.

5. *Diwan Bahadur Ramaswami Mudaliyar:* Dr. Mookerji, you are emphatically against the system of communal representation or separate electorates?—Yes.

6. Would it be a fair representation of your view to say that your acceptance of this group system on the basis of adult franchise has largely been influenced by the fact that you think that thereby you would solve all questions of communal representation?—Exactly. That is one of the reasons.

7. May I say that that is an essential and a very important reason?—No, my main reason is adult franchise.

8. If the question of separate constituencies for Hindus and Muslims is to be reflected in this adult franchise group system, would you still be in favour of it?—No.

9. If you take the direct electors and supplement them by grouping representatives from the rest of the population, you would still be getting adult franchise?—I do not like to mix up these systems, qualified franchise and adult franchise. It will, in practice, be difficult to work so many stages of elections.

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10. The principle is merely this: We have a certain number of direct voters now possessing the property qualification; you increase their number by lowering the property qualification and you get a certain number of direct voters possessing such qualifications?—Yes.

11. You feel that a large number of people have still been kept out of the electoral machinery and you think that an advance might be made by giving some voice to them in the administration of the country by grouping them as primary electors?—Not to the extent of adult franchise, because it is impossible at present. I am sacrificing a very great advantage that always attaches to direct election only for the sake of the ideal of adult franchise which would not be workable except on the group system.

12. But what is the sort of franchise which the members will be exercising if they were to send representatives as secondary electors? What is that franchise worth?—There will be some kind of political education to begin with. I should like to have a beginning made just now in that direction.

13. How will it end? What are the processes which you visualise before adult franchise is introduced?—I believe there will be considerable decentralisation and development of democratic bodies throughout the country; you will have unions in the villages followed by unions of larger areas than villages and so on. As we know in Soviet Russia, you get to the provinces in three stages. First villages, then unions of villages, then communes and so from communes to provinces.

14. May I take it then that your ideal of adult franchise and indirect election is analogous to the idea put forward by Dr. Besant in her Commonwealth of India Bill?—I am arriving at conclusions on the basis of my own studies and researches. In fact I have not yet known the exact details of Mrs. Besant's scheme.

15. You visualise a scheme on the basis of adult suffrage and indirect elections. There will be several stages of indirect elections before the provincial council member is elected?—No. There is this difference that at every stage of democratic development, the people concerned will feel that they are governing themselves so far as their own affairs are concerned. There is a heirarchy of spheres of government in all the stages.

16. What is the sphere of self-government of the primary voter?—The village itself. But that is not my complete scheme. I am now concerned with the beginning of self-government as found in the questionnaire. Therefore I have begun with giving the villager some voice in the making of the Government.

17. *Mr. Tambe:* I take it that if the groups in the villages are to be formed according to religion or on the basis of communities or special interests, you would not have them?—No.

18. You are not for special representation?—No. I look at the subject as an idealist. Two things stand apart according to me. The first is that we are all out here to achieve some kind of democratic government and all that is inconsistent with democratic government I will brush aside on principle. If you can show me any precedent in any civilised country in the world at the present day to show that there is any kind of protection of special interests through this discredited device of separate electorates, I shall bow to you.

19. But don't you think that they should have some representation?—They certainly do not need any special representation.

20. *Mr. Chintamani:* I will place before you two alternatives. Kindly say with which of them you will agree. Direct election on a restricted franchise which will give you a voting strength of about 10 per cent. of the population or indirect election based upon the so-called adult franchise where only the secondary voters will take any part in the election of members to the Legislative Council?—I would prefer the second one on the ground that, otherwise, I do not see how I can usher in this adult franchise.

21. Do you think that by means of the secondary system you give the primary voter anything like an effective voice in the election of a member to the Council?—That will depend upon the amount of education that they get. But if a beginning is made—as I told you my complete picture is that of stages and spheres of self-government—that would satisfy me.

22. You are aware of the existing conditions of education? That being so, with the present state of society as it is, do you still think that of the two alternatives, the universal indirect system and the direct system on a restricted franchise, you will prefer the former?—I will always vote for adult franchise if it is at all introduced.

23. You will consider that indirect election is better than direct election?—To begin with, yes, although it is not a very satisfactory beginning, I must admit.

24. Suppose in connection with this direct election you are also told with some degree of certainty that ten years hence there will be a widening of the franchise, would you still sacrifice the advantage of direct election?—As a practical man I would prefer the universal indirect system, as I find that although the Franchise Committee began with the suggestion of 25 per cent., it has been already whittled down to 10 per cent.

25. When did it begin with 25 per cent.?—The suggestion was that it will be within 25 per cent. and 10 per cent. I now gather that you are thinking of 10 per cent. only. You are not even thinking of 25 per cent.

26. It may be anything between 10 per cent. and 25 per cent.?—It is such a remote idea that I would not sacrifice a beginning with adult franchise, although indirect, for it.

27. With your knowledge of the state of public opinion throughout the whole of Northern India, do you think that the abolition of the present direct election will be regarded as a measure of political appeasement or will it give rise to political dissatisfaction?—I have my doubts on this point, because you are introducing what may appear to be a revolutionary electoral system. But there is an element of direct election in this so-called indirect election.

28. Where?—The secondary delegates will directly elect members to the legislature.

29. But the moment you call them secondary delegates, the element of directness disappears?—But, under the existing system the primary voters, most of them, do not know the candidates.

30. Under the present system every voter is a direct elector?—The candidates are not known to many.

31. You are opposed to separate electorates. Are you opposed to special representation if it can be secured by means of reservation of seats?—I am opposed on principle to all these devices which have no place in any civilised system of government.

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32. What is your special provision for the representation of special interests?—That will be grouping of individuals on principles which are understandable, such as economic or financial and not principles which are fixed, permanent or hereditary. These are principles on which parties are formed and not communities. You are always confusing parties and communities. From my point of view, religious or social communities as such have no place in the legislature. Here we must enter as citizens of an all-embracing State.

33. Have you any objection to special provision being made for the representation of interests as distinct from minorities or communities?—What interests, please?

34. I will illustrate it. Would you retain special arrangements for the representation of landlords and commerce and universities and such like things?—No. These interests are vested interests. I am thinking of the ideals on which parties are formed.

35. Is the university a vested interest?—A university stands for interests which can be considered to be universal interests in which I believe all citizens are equally interested.

36. *Dr. Ambedkar:* I understand that you stand for two principles in the matter of franchise, one is that the voting must be direct and the other is that there must be universal adult suffrage?—No. I want only adult franchise. Although it is not practicable now, my ideal is adult franchise.

37. Is it direct or indirect?—By indirect method now. I think you are not completely understanding my position. My scheme provides for different

spheres of democracy. It will involve a combination of both elements, direct and indirect, by working out a proper democratic system.

38. Please apply your mind to the composition of the Bengal Legislative Council for a moment and tell me whether for its future composition you would have direct adult suffrage, or would you desire that that suffrage should be direct or indirect and adult?—My scheme is this: You have a stage of primary election in the villages followed by direct election.

39. Am I right in understanding that you prefer indirect election to direct election?—Partly direct and partly indirect.

40. Where is the partly direct and partly indirect?—When you come to the secondary delegates it is direct.

41. That you call direct?—Yes.

42. You are not prepared to call the primary voter a direct voter?—That is my plan. I have not yet fully explained my position. On account of the hurry, I was not able to give a complete picture in my memorandum. My idea is that we will make a beginning with this combination of the direct system and the indirect system.

43. You said you are in favour of the group system on condition that communal electorates are abolished altogether, is it not?—I do not like that term. I say that the grouping of individual voters should be on principles of residence and property and other qualifications.

44. If there is no separate representation of any community, then only you would advocate the group system?—Yes.

45. Supposing communal electorates are retained, then what methods will you recommend?—I cannot think of any state of things with communal electorates in being. May I suggest one or two points? I first of all said that the territorial basis of the franchise for Bengal should be settled.

46. *The Chairman:* You want to increase the area of Bengal so as to include in it all Bengali-speaking areas that now lie outside Bengal as parts of Assam and Bihar provinces?—I appeal to you, as Chairman, to settle this preliminary point. And the second point I would mention is that your scheme of franchise must not run counter to the democratic constitution that India has been promised in several Government declarations.

47. By which you mean communal electorate?—You ruled it out. I just want to add that any kind of grouping of voters should not be contradictory to the very definite promise of responsible government which has been repeated several times and also recently by His Majesty's Government in concrete terms. And if we really accept it as the basis on which the coming reforms are bound to work, then I think all this should be ruled out by you as Chairman of this Committee.

I may use the language of the Prime Minister and say "It is noted". (Laughter.)

CALCUTTA.

Dated 18th February, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE BENGAL PROVINCIAL FRANCHISE COMMITTEE.

Dr. H. W. B. MORENO, B.A., Ph.D., Representing the Anglo-Indian League.

1. *The Chairman:* You represent the Anglo-Indian League?—Yes.

2. Have you put in any memorandum?—I received my notice rather too late for me to submit any memorandum. I am prepared to answer any enquiries that may be made of me.

3. Can you tell me the number of Anglo-Indians in this province?—Approximately 27,000, I imagine.

4. What representation have they got at present in the Council?—Only two members.

5. How are they elected?—They are elected from the constituency of Anglo-Indians. That is a special electorate.

6. You want that system continued in the new constitution?—Speaking on behalf of my community I want that representation to be broadened. As a matter of fact, two people among 140 members representing other interests and communities is infinitesimal.

7. What do you propose?—For every minority community some sort of abnormal increased representation should be given. I mean by the word 'abnormal' something which is not exactly in proportion to their numbers.

8. The word loosely used is weightage?—Yes, Sir.

9. What weightage do you propose?—I should like to see that number doubled at least so far as the Council is concerned, that is, having regard to the other constituencies.

10. That is, for 27,000 people in a population of about 50 millions, you want 4 members out of a total of 140 members?—Yes, Sir. My reason is this, that if you take us in proportion to our numbers we will be swamped out. There is no chance for us at all. But if you take into consideration the importance of the community, its loyalty and its literacy, I think some sort of special representation is due to them.

11. You ask for a broadening of the franchise especially for Anglo-Indian men and women. What is the existing franchise in your special electorate? —What I say is that when I first went to the Council we did not have any Anglo-Indian women voters for the reason that women were not allowed to vote in Bengal. I then happened to secure women's franchise for Bengal. Therefore any woman who qualifies for it is now entitled to vote. That right is of course common to other communities.

12. If the franchise is enlarged, would it bring in a great majority of the Anglo-Indian community?—It depends on what you would require as a qualification for voting.

13. Do you want the union board qualification for a voter?—*The Hon'ble Khawaja Nazim-ud-Din:* The Anglo-Indians are mostly residents of urban areas. They come under the Rs. 1-8-0 rate basis.

14. *The Chairman:* What percentage of your community is now on the voters' list?—I cannot say that off-hand, but I should think it is a very small percentage. I do not think it is more than 5 to 10 per cent., because the qualifications are placed rather high. It is based on the income-tax we pay.

Diwan Bahadur Ramaswami Mudaliyar: I do not think it is correct, Sir.

The Chairman: I will look it up.

Mr. Rahman: I think that 13 per cent. of the total population of Anglo-Indians are at present enfranchised.

15. *The Chairman:* I understand that 30 per cent. of the adult males in your community are now enfranchised. Now, I gather that the basis upon which your community claim this special representation is in the first place higher literacy, secondly, wage-earning, and thirdly their proportion in some of the services in the country and also that yours is a separate community in a country in which communities are still existing. Is it so?—Yes, Sir. Our community is totally different even from the European community.

16. And you want representation apart from Indians on one side and the Europeans on the other?—Quite.

17. *Sir John Kerr:* Have you got any particular proposal for the lowering of the franchise for your community?—Nothing very substantial, but I should like to broaden the franchise inasmuch as there is an attempt to broaden the franchise wherever it is possible. Now liberacy in our community is very high and also the wage-earning capacity, though at present there may be unemployment, which is great. This capacity is very great in this community. We are all labourers employed either in the railways or the civil services.

18. *Sir Zulfiqar Ali Khan:* Could you tell me in what respects your interests differ from those of the Indian Christians?—They are totally different. I hold that the Indian Christian is still an Indian, whereas the Anglo-Indian adopts European methods and ways. He does not unite with the Indian Christian who keeps to himself, so that his position is different.

19. There are Indians who are not Christians and who have adopted European ways of living?—I do not say anything against that. I do not care to criticise that. But what I want to say is that from the very commencement this community has an identity all its own, brought into existence by the British people and maintaining a separate existence from all Indians; and not marrying and having nothing to do with the other communities of India.

20. Do you think that such small groups as your community constitutes can justly be given increased representation in a House composed of only 200 members?—I think they are entitled, because if there is legislation affecting our community and if we have only a very small minority of representatives, most of our cases would go by default by our not having sufficient voting strength.

21. Cannot you co-operate with the Indian Christians?—We do, but still that does not shut out the fact that our case should be put up or expressed best by men of our own community.

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22. *Lord Dufferin:* I suggest to you that the number 4 out of 200 will not make any difference in the matter of voting. I also suggest that one member will be able to do all you require and put your case before the Council and influence its decision. Would you agree with this view?—I do

not agree for the reason that one man cannot be so encyclopædic in his knowledge in matters affecting the whole community.

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23. *Mr. Chintamani:* Will you please state what work of a specially communal nature your representatives in the Council have done so far?—We secured more funds for our educational purposes. We secured special appointments for ourselves in the railways, where it was impossible to have them otherwise. We have also done other things affecting our community.

24. You are aware that Railways is not a subject with which the Provincial Council can deal?—Yes, but I am now talking not only of the Bengal Council but the Central Legislature as well.

25. As regards more funds for education, are you able to state that it is only because you had only two special representatives in the Council that adequate funds were not allotted for Anglo-Indian education and that in their absence their case would not have received just consideration?—I am not prepared to go so far as that, but I do say this that if we have more men, we would be heard better. The position is this in the Council. You sometimes have voting and you may have both sides equally placed, then the votes of three or four may affect the result a great deal in the way of compromise with others to secure advantage to our community.

26. That applies to all work of the Council where a small minority may hold the key between two contending parties. But my question is in matters exclusively concerning the Anglo-Indian community, in that respect, what difference would the presence of two members specially elected by you make in the grants for education and other matters?—In regard to grants to schools, if you have two members the case is better put.

27. May I put it to you without unfairness that it is more your belief than a statement based upon ascertained facts?—The point that I raised is based upon solid facts because I am speaking from experience.

28. I wish you to tell us those facts upon which you have based your belief?—I have not in my mind at this moment any definite fact.

29. You think you will be able to put those facts together?—Yes.

30. At present you are not able to put them together?—No.

31. Proceeding on the same footing, you will agree with me that it will not make a material difference whether the number is two or three or four?—No. The reason is the more representatives we have in the Council, the greater will be the protection of our interests. That is an axiomatic fact.

32. In suggesting the number that you require, have you paid any consideration to the general composition of the Council, the proportion of each community to the total population, and what number you may fairly ask, *i.e.*, without unfairness to others?—I have considered that aspect. For that reason only it is that I ask that the present number may be doubled In fact, in view of the increased general franchise, I might have trebled that number, or asked for ten or twelve. But I maintain that a minority community situated as the Anglo-Indian community is, should be given some sort of increased representation.

33. Have you considered whether your case as you put it now will not be met by the reservation of a number of seats in the general electorate?—If that be the general principles applied to all minority communities, I have no objection.

34. Your insistence on a separate electorate then is due to the fact that certain other minorities have been given separate electorates?—Directly so.

35. If I understood the memorandum aright, your community wants adult suffrage?—Yes.

36. And adult franchise with direct election?—Yes.

37. Have you considered whether adult franchise and direct election are practicable in the case of the people in general?—I am not concerned with that, I am concerned with my own community.

38. Then do I state your position correctly when I say that your proposals are based upon your view of what your community requires and have not been tested by any general considerations applying to the province and the people as a whole?—That is putting it very strongly.

39. You may put in your own words, but you have no quarrel with the substance of what I have said?—I have a quarrel, and that is why I must qualify that statement. I did not put it in such strong form. If it is possible that the other minority communities are going to have representation at a certain number, I would accept that principle and I would ask that it to be applied to my community as well.

40. In framing your proposals did you consider that the concessions to the other minority communities were not based upon any intelligible and consistent principle and therefore you may go forward with your proposals in your own way?—I do not quite agree with what you have said.

41. You need not agree with me, but my question has arisen out of your previous answer. You said that if the concessions made to minorities were based upon some principle, you would follow the same principle in making your own claims, do you not?—I want our claim to be on all fours with the claims of the other minority communities.

42. That is to say, you have two cases in mind, firstly, what you think your own special interests require and secondly what other minorities get, and if what other minorities get is something more than what your special interests require, you would claim more?—That is not putting my own case aright. What I say is this. If you accept certain principles for the representation of minorities and lay them down, I am prepared to accept those principles, whether it be separate electorates or reservation of seats. I am prepared to accept whatever decision is arrived at on that point. But I do say this that at present, as matters stand, separate electorates are being claimed, and I claim increased separate electorate for my community.

43. Arising out of this answer, what advice would you, as a witness, give to the Committee as to the principle which should guide the solution of the minorities question?—I am not prepared to answer a question of those dimensions.

44. You have said in reply to Dr. Ambedkar that you would not rely upon special powers of the Governor, and you wanted your own representatives to plead your case, is it not?—Yes, in the sense that I did not want to be a hanger on either of the Governor or of the Viceroy. I am a citizen and I claim my rights of citizenship.

45. If what you conceive as your rights of citizenship are conceded to you, then you do not want any special power to be vested in the head of the Government?—Why should I give the power to another, when I can have it for myself?

46. Are you aware that it is part of the recommendations of the Round Table Conference Sub-Committee on the provincial constitution that special powers should be given to the Governor to safeguard the interests of minorities?—If at any time their interests are endangered and go beyond the possibility of being remedied by their representatives.

47. There is no qualification of the phrase I have given. That is the recommendation and you can read that?—I bow to your superior knowledge.

48. It is not a question of superior knowledge. I want to know what special provision you would like to be made for you?—I cannot say now.

49. Would you agree to the doing away with the reserve powers if you get the representation you want?—I would not, because after all I only make a representation as I conceive it to be. The opinion of others in my community may be somewhat different.

50. *Mr. Tambe:* Is the education of Anglo-Indians separate from that of the Europeans? Are there separate schools for Anglo-Indians?—There are not. There are schools which are generally known as European schools. There are schools which house not only Europeans but Anglo-Indians as well.

51. Education, as a subject is not separate. There are not two separate subjects—one, education of Anglo-Indians and another, education of Europeans?—No, there is not.

52. Your interests, so far as education is concerned, will be protected by Europeans?—Not so.

53. You don't believe in that?—I don't believe in that.

54. Would you like to be grouped with the Europeans?—Not if my own interests are to be safeguarded, because there may arise questions in which my interest may be overlooked.

55. Therefore you would not like to be grouped with the Europeans?—Not necessarily so.

56. For the purpose of franchise?—I should like to be grouped separately.

57. Would you like to have an indirect system of election for your community?—My experience in the Bengal Council has shown me that there is a good deal in that system.

58. Would you like to have it for your community?—That is a difficult question. I would prefer it if it gives advantage to my community.

59. Would it give advantage to your community? Would you like it to be applied to your community?—No, I don't think so. I would not yield.

60. *Diwan Bahadur Ramaswami Mudaliyar:* I understand that your claim is based on the fact that you have done some special service to the country in what are called 'security services', the railways, telegraphs and post offices and that you have also served in the Auxiliary Forces. Do you consider that it was a privilege conferred on your community or an obligation cast on your community that you served in those various posts?—I do not claim it as a privilege, but I do say that when my community has been a loyal community from the beginning of the Anglo-Indian connection surely I am entitled to some reward for my loyalty which has continued down to the present day. The interests of my community should be respected.

61. But it is loyalty in the future that is in question and not the loyalty of the past?—We are loyal to any loyal community that may be masters of the situation.

62. I am glad to hear that. Taking this question of education, I understand that your presence in the Legislative Council has been of considerable help with reference to Anglo-Indian education?—Directly, yes, and indirectly in many other ways.

63. I suppose you are aware that European education is a reserved subject and not transferred?—That is so.

64. Therefore your influence has been on the Executive Councillors under whose patronage European education is?—All these questions are discussed in the Council.

65. If they are voted down they can be restored?—That is so.

66. Therefore whether you are there or not, it does not matter so long as the dispensation is in the hands of the Executive Councillors?—I would not say that. I don't want all questions to be placed in the hands of the

Governor, and my destiny to be decided by the Governor. I would fight my own case in the Council.

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67. *Mr. Roy Chaudhuri:* You have been a member of the reformed Legislative Council?—I have been.

68. Could you give us any instance when the attitude of the Council was of strong hostility to the interests of your community?—I can give you one specific instance. We claimed a grant for a girls school for giving education to entirely destitute girls. The grant was 8 lakhs or 7 lakhs for a school of that type in Calcutta. That grant was cut down to 50,000 by the adverse vote of the Council in spite of representations made by the Anglo-Indian representatives.

69. Is it not a fact that on account of financial stringency grants had to be reduced to many other institutions and it was not refused because it was an Anglo-Indian institution?—That is one way of putting it. The fact stands out that on account of the adverse vote some children could not be educated. They would have had better terms otherwise.

70. Is it not a fact that government contribution to Anglo-Indian schools is proportionately much higher than to Indian institutions?—That is so. On the other hand you have to remember what the community has also done for the bringing up of its children. The grant is not proportionate to what is given by way of charity by the friends of the community, by the sympathisers and by the members of the community themselves.

71. What is the total amount of tax that you pay into the State coffers?—I don't know the exact figures.

72. If the amount given in order to maintain your educational institutions is double the yield of the tax from your community, would that be enough to maintain your institutions?—I don't think we would be able to maintain our institutions.

73. Therefore you will realise that in the future self-governing India you will have to depend on the good will of the Indians?—Most certainly. I am an Indian, but I am also an Anglo-Indian.

74. You are an Indian but you are also an Anglo-Indian?—I am born in British India but am Anglican in my manners.

75. Would you like to have joint electorates with a reservation of seats? Suppose you fought in the general elections and you had seats reserved in the Council, would you like that?—I won't unless other minorities accept that. Not until the other minorities accept it.

76. You also spoke about loyalty. You mean to say that your community has not taken any part in the political agitation?—Never.

77. Is that what you mean?—Yes.

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78. *The Chairman:* You have not actually mentioned what representation in the central Legislature you want?—We do not want nomination.

79. What is your proposal exactly?—I want the present representation there to be trebled.

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Memorandum submitted by Mrs. K. C. DE, M.B.E.

WOMEN'S SUFFRAGE AND REPRESENTATION OF WOMEN.

I think that in neither the Provincial Legislatures, nor in the Federal Legislature should there be any distinction based on sex and that men and women should have equal rights of voting, sitting as members and holding offices.

Whatsoever suffrage is allowed to men should be extended unqualified to women as well. If it is going to be universal adult suffrage, all women old enough should have votes. If the voting qualification is to be based on ownership of property or on education, women possessing the specified qualification should have the same voting rights as men of the same qualification. It is expected that for the present the qualification will be based on property and it may be urged that as wives do not own separate property a great many of them will be disqualified. But this disqualification is not peculiar to India alone but is shared by England and other countries as well, and I think that enterprising wives, anxious to exercise suffrage, will induce the husbands to give them sufficient property to enable them to do so. If the suffrage be based on education, it will be an additional incentive for extending female education. In the beginning, to secure a sufficient number of women voters, I would strongly support the recommendation of the Statutory Commission that the adult wives and widows of men entitled to vote under the property qualification should be enfranchised and that, in addition, an educational qualification should apply to women as well as to men. But I think that women should possess an independent qualification for voting and not based on the qualification of the husband, and this should be the ultimate aim to keep in view. The age qualification should be the same as in the case of men, namely, 21 years or over.

At present women cannot stand as candidates for election as members of the Legislatures and cannot sit as members. This disqualification should at once be removed. It is expected that in the beginning, a sufficient number of women will not get elected, and I would therefore propose that power should be reserved to the Provincial Governors and to the Governor-General to nominate not more than ten women to be members of the Provincial Legislatures and each of the Federal Legislatures.

There should be no bar against women being elected as President and Vice-President of any Legislature.

Memorandum submitted by Miss MONOROMA BOSE, M.A.

3. (*a*) & (*b*) I am not in favour of increasing the women's electorate by enfranchising the wives and widows of men voters simply because their husbands have or had votes.

Adult suffrage should be our aim. If it is not found practicable at the present moment to introduce it we could have direct suffrage for those who have the literacy or the lowered property qualifications and indirect suffrage for the rest in the manner suggested in para. 1 (*f*) of the questionnaire with some modifications.

There will be women among the primary voters but there is no certainty that there will be women among the secondary voters or among the legislators. We must guard against these dangers at least temporarily. Once our men get used to the fact of working with women in the legislature and realise their abilities I feel sure they will not hesitate to vote for them in the oper election and women will be able to compete successfully with men.

Now with regard to the safeguards. Firstly, the presence of women in the legislature can be ensured by reserving for them a number of seats there—say 6 per cent. which is not a very high figure and secondly, we can have women among the secondary voters by having groups of primary women voters separate from men. In the secondary stage there will be joint voting.

Memorandum by Miss MONORAMA BOSE. [*Concluded.*

I do not however approve of the idea of splitting up a village or an area into a number of small groups each consisting of about 20 as suggested in para. 1 (*f*) of the questionnaire. The whole village or area must be taken as a single unit and the number of secondary voters will depend on the total number of primary voters in that particular village or area.

To start with, 10 per cent. of the women population should be enfranchised. If by the direct method less than 10 per cent. become entitled to vote then more than 10 per cent. must be enlisted as secondary voters so that the total number of women entitled to vote for the election of candidates to the legislature may be 10 per cent. of the entire adult women population. In addition provision should be made in the electoral rules for the automatic inclusion at successive elections of an increasing percentage of direct women voters so that the goal of adult suffrage may not remain very distant.

(*c*) The above scheme will guarantee the return of women members to the legislature, *e.g.*, in Bengal there are five divisions and in each division two seats can be reserved for women. This will give us ten seats and I would suggest an additional seat, each to be reserved from the two University constituencies—Calcutta and Dacca. We would thus have 12 seats in all in a proposed house of 200 representatives, *i.e.*, 6 per cent. only.

Co-option would thus become unnecessary. The system of co-option is open to the grave objection that the co-opted members are not the real and direct representatives of the electors and may not therefore reflect the view of the electorate which is their primary function.

Memorandum submitted by Mrs. KUMUDINI BASU, B.A.

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(1) The existing qualifications of women voters being mainly based on property and the payment of taxes, the number of women on the electoral rolls is hopelessly small as compared with men. Another great defect of this method is that a very large number of educated, cultured and respectable ladies have been effectively shut out from the poll, for, under the existing custom and practice prevailing in Hindu families, a very large number of females do not either own property or pay taxes in their own name. A very few widows and wives pay taxes or own properties in their own name. So a large number of respectable ladies who would otherwise have cast their votes intelligently and with discretion have been shut out from the privilege of vote. In their place a very large number of undesirable women of the city who invariably pay taxes and some of them also own properties but who are generally without any education come to the polling booth. From my personal experience as Presiding Officer of the polling stations in all the past Council and Municipal elections, I have seen that almost 95 per cent. of these women are without any education. They do not know the meaning of franchise nor the significance of its right or use—instances of false personation and various other abuses of the franchise have been plentiful—in short, they have used their franchise without knowing what it means or whom they are voting for.

To counteract the evil effect of the existing franchise being exclusively used by this class of women and thus defeating the object of the franchise to return the best men to the Council, I suggest the following course:—

(*a*) Every wife or widow of a male voter with property qualification shall have a vote provided she is of 25 years of age.

(*b*) I do not prefer the age-limit to be at 21 as their minds are then still immature and they are apt to be guided more by sentiment than by reason. In case of husbands with more wives than one only the eldest wife shall have the vote.

(*c*) Besides this property qualification, there should be an educational qualification also the minimum standard to be Matric. or Middle English passed but the age-limit to be 25. I prefer the system of direct election as it has a great educative value. By association and discussion with other ladies about the various points at issue their knowledge increases and they are gradually trained to cast their votes intelligently.

I suggest, though this point is not mentioned in the questionnaire that women should be allowed to stand for election also and that a certain number of seats should be reserved for them on non-communal basis for a fixed number of years as suggested by Mrs. Subbarayan in her memorandum printed in the Franchise Sub-Committee Report in 1931, Volume VI.

GENERAL REMARKS.

I have had considerable experience since 1925 in the actual conduct of polling of women's votes. I have seen from personal experience that very few respectable ladies come to the polling booths to record their votes. There is a fairly large number of respectable ladies who have got the franchise under the existing property qualifications, but they cannot exercise the right as in that case they will have to come to the same polling booth where women of ill-fame come to record their votes. It is also difficult to pick out and identify these undesirable women. There are effective remedies if the Legislature of the Country would adopt them. I suggest the following ways and means :—

(*i*) I am told that formerly undesirable women of the town had to register their names as such in the police-stations; but that system is not, I am told, in vogue now. If this is introduced, then separate polling booths may be erected for recording their votes and respectable ladies shall have no occasion to get mixed up with them in a common booth.

(*ii*) I know of an election campaign where a respectable gentleman of the town, wellknown for his high morals and lofty character, had to fight a rival who had no scruples to approach these women and canvas their votes. The moral man would not think of going to them. His rival counted on their votes which were solid and everyone of them was cast in his favour which decided the election in his favour. This could have been easily counteracted if he could marshall the respectable ladies' votes, but they would not care to come to the booths which would bring upon them shame and social obloquy.

Another method suggested is that the voting paper should be as in the case of the existing University constituency sent by registered post to the house of all women voters other than these undesirable women who should be required to sign them in the presence of a Magistrate or some women specially delegated for the purpose. It will be to the interest of the candidate to see that these votes are properly attested and recorded.

Mrs. K. C. DE, M.B.E.,
Mrs. KUMUDINI BASU, B.A.,
Miss MONOROMA BOSE, M.A.

1. *The Chairman:* Do you represent any recognised body of women?—(*Mrs. Basu*): No. I am giving evidence on my personal behalf.

2. I see you are in favour of the proposal of the Statutory Commission that wives and widows should be enfranchised on the basis of their husbands' property qualification?—Yes.

18th Feb. 1932.] Mrs. K. C. De, Mrs. Kumudini Basu & Miss Monoroma Bose. [*Continued.*

3. That will bring naturally a very considerable number of women on the roll?—Yes.

4. We have been told from certain quarters that even if women are enfranchised to that extent, in point of fact they would not come to the polls. There is a prejudice against coming out. Would that be your view?—No. As the custom of purda is dying out, I think they will certainly come to the polling stations to record their votes.

5. Do they go to the political meetings? How do the candidates come into touch with them?—Yes. The candidates sometimes go to their houses and seek their votes.

6. The men candidates?—Yes.

7. Are there many women going out as agents, as representative of candidates holding meetings for women alone?—Women are now-a-days coming into politics in small numbers—not a very large proportion. Many women go out as agents.

8. It has been said that under the present circumstances, even if the women were enfranchised, a large proportion of them will not come to the polls. Though the Hindu women might go to the polls, among the Muhammadan women purda is stronger and they would not go?—No. Some of the purda Muhammadan women might come. When I was the presiding officer at the time of the Municipal elections some Muhammadan women came and voted for some Muhammadan candidates.

9. You have actually been a presiding officer at a polling station in Calcutta?—Yes.

10. Could you tell me what exactly that means? Does it mean that you have worked in the polling station and that the polling station had been reserved for women only?—Yes.

11. Was it in Council elections or Municipal elections?—Both.

12. Could you tell us anything about your experience in that respect? Did it make a great deal of difference in the number of women voters because of the fact that there were polling booths reserved for them? If separate polling booths had not been reserved would they have come in equal numbers?—They would, if arrangements had been made for purda.

13. If that arrangement were not existing would they come to the ordinary polling booths?—No.

14. So it does make a difference?—A negligible difference.

15. You have no experience of the country side?—No.

16. *The Hon'ble Mary Pickford:* You have done a great deal of public work. So although you speak only for yourself you are in touch with a great number of women who are doing public work in Calcutta here and I see that amongst other organizations to which you belong you are on the Executive Committee of the All-India Women's Conference?—Of the Calcutta branch.

17. You probably have seen the memorandum which was circulated by the All-India Women's Conference?—Yes.

18. Was that memorandum placed before your executive committee before it was issued by the Conference?—We got it printed and considered the printed memorandum.

19. Did your committee come to any decision about these proposals?—Yes.

20. Because those proposals differ a good deal from the statement of yours?—They do.

21. Could you tell me whether the Committee of the All-India Women's Conference does not support these proposals?—Our Calcutta Franchise Sub-Committee decided that the age of the women voters should be 25 and that some seats should be reserved for women in the legislatures.

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22. May I take it that the views of your Committee coincide with what you have put forward here. You don't agree with the memorandum of the All-India Women's Conference which asks for adult suffrage and does not approve of giving votes to wives and widows?—Adult suffrage is our goal.

23. In the meanwhile you approve of this proposal?—Yes.

24. You don't put forward, as the All-India Women's Conference do, adult suffrage and nothing else?—No.

25. You have heard, no doubt, of the suggestion of grouping together those voters who are not directly qualified. Have you considered that question at all and could you tell us whether in the event of such grouping you would prefer women to be grouped alone or with men?—I am entirely opposed to group voting. I want direct voting.

26. So long as direct voting is not possible for everyone would you approve of group voting for those who could not at present be directly qualified?—I am entirely opposed to group voting.

27. You don't like it in principle?—No.

28. You would have no share at all rather than this grouping together?—Yes.

29. Might I ask one question to Mrs. De? You say that it is expected that in the beginning a sufficient number of women will not get elected to the Councils and you therefore propose that power should be reserved to Provincial Governors and to the Governor-General to nominate 10 women. You might have heard that there is a good deal of opposition to the idea of nomination. People don't like it. Have you heard of the suggestion that women should be co-opted by the elected men members of the Provincial Councils? Could you give us your views on that suggestion? Or have you any other suggestion to make?—(*Mrs. De*): May I reply to your suggestion? The number of women voters may be increased by extending the franchise to women by adopting a procedure by which the 'excess' qualifications of a male voter may, up to a prescribed limit, and in so far as divisibility is practicable, be divided up against the female members of his household as follows:—

(1) Those who are related to him by blood.

(2) Those who are wholly dependent upon him:

provided they are of a certain prescribed age. This is one of the ways and all other possible means should be devised to increase the number of women voters. I should like to add that if a standard is fixed with regard to qualifications required of a female voter, there is every likelihood of those qualifications being created for them by their male relations at least in many cases, with the result that there will not be any dearth of qualified women voters in the long run. The beginning must be made and an opening created by law. As to whether there should be any difference in the qualifications of a male and a female voter my idea is that the qualifications of women voters, whether they are based on payment of taxes or income or are based on educational qualifications, or what not, should be on a lower level and less rigorous than those which will be required of male voters. Group voting, of course, we do not like.

30. What I wanted to put to you was how to secure some seats on the Council for women in case they are not elected in the ordinary way?—That is why we suggest that the Government should come forward and nominate in the beginning.

31. You prefer nomination?—In the beginning, until these women learn how to vote.

32. You prefer nomination to a system of co-option by the members of the Council?—In the beginning it is better.

33. Would Mrs. Basu give us her views on this?—(*Mrs. Basu*): I prefer co-option by the members of the Council.

34. *Mrs. Subbarayan:* Mrs. Basu, could you tell me if it would be possible to secure sufficient women to act as presiding officers if separate booths were opened for the women voters throughout the province?—Certainly.

35. Do you think there will be any objection on the ground that those who recorded the votes were not educated?—No.

36. Could you tell me your view on the following statement that the Government has made:—

> "In Calcutta, where the services of lady presiding officers could be obtained, separate polling stations were provided for women voters. In spite of these arrangements very few *purdanashin* women voted, and the large majority of the women who went to the poll were not respectable women. The lady presiding officers consequently found their duties distasteful, and the Education Department have issued instructions that their women officers are not to act as presiding officers in future, and that girls' schools and colleges are not to be used for the recording of women's votes."

Are you aware if there has been any objection?—No.

37. Do you know whether the authorities of any school object to their schools being used as polling booths or their staff acting as presiding officers?—I don't know.

38. I ask for this information because it is most important as most of the ladies who will act as presiding officers will be teachers or doing some educational work?—Yes. Some lady teachers acted as presiding officers but I don't know if any objection was made by any school authorities.

39. You don't think there will be any difficulty?—No.

40. You have been considering this questionnaire, I believe, with some of the leading ladies of Calcutta. Could you tell me whether in your view and Mrs. De's view too, your views find general support among the leading women of Calcutta who have had experience of public work. Do your views find general support among the leading women of Calcutta, with regard to franchise as well as the reserved seats?—When we studied this question of franchise in 1921, 1922 and 1923 many *purda* Indian Hindu ladies meetings were held and almost all of them gave their consent to have this power to vote and now also I find general support with regard to the franchise and the reserved seats.

41. *Diwan Bahadur Ramaswami Mudaliyar:* Mrs. De, in the new constitution of your province education will be under the control of the Ministers and so the power of nomination will be exercised really by the Ministers. It means that they might nominate ladies who are of their own party politics. It is because of that objection that the power of nomination has not been agreed to. In view of that would you accept the power of co-option by the Legislative Council rather than nomination by the Government or the Governor? You realise the constitutional difficulty of nomination in the future Government?—I think it is better to co-opt.

42. I understand from your statement that, if a qualification based on property is given to women, the more enterprising women will see to it that their husbands transfer enough property to them, so as to enable them to come on the electoral roll, how many do you think would be so enterprising as to persuade their husbands to transfer property to them to enable them to vote?—You mean to say that the voters will be wives and widows only? Every one should have a chance of voting.

43. That is on the basis of adult suffrage, but if that was not suitable on account of administrative difficulties, then how would you bring a large

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number of women on the electoral roll? Don't you think that the suggestion to enfranchise wives and widows is a very practical method of increasing the number of voters?—Why not give them the qualification? Anyone who gets married—the married state itself should be held to be a qualification, provided they are of a prescribed age.

44. That is exactly what I am suggesting.—But not the widows.

45. You agree that whoever may be qualified by such means should be brought on the electoral roll?—Yes, that is my idea, except that they must be of a certain age, 21, as I have already said.

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46. *Sir John Kerr:* You say there would be no difficulty in finding ladies to act as polling officers in all the districts of Bengal?—I have no experience of all the districts of Bengal, but I know what happened in Calcutta. I think that a number of ladies may be found to act as presiding officers and polling officers. I can say that in every big district you will be able to find women presiding officers.

47. What sort of ladies would come forward for that kind of work?—Teachers from schools, nurses, midwives, and people like that. Many Zemindars' wives would come forward.

48. And supposing the Zemindars themselves were candidates? (Laughter).

49. *Sir Zulfiqar Ali Khan:* Could you please tell me whether in the country, that is, in the rural areas, the women understand political questions?—Oh, yes?

50. Do they in the villages?—At the present time they understand more politics than they did five years ago.

51. It may be different from what it was 5 years ago, but I want to know whether women understand what political questions are now?—I think they understand.

52. Do you think that if women electorates were created it would be more practical if they were confined to Calcutta and big cities?—In urban areas a great number of ladies can be found to act as polling and presiding officers.

53. *The Chairman: (to Miss Bose)* I understand you do not agree with the views expressed by the other ladies. You are against the proposal to enfranchise wives and widows of men voters simply because their husbands have votes, and you are in favour of the franchise for those who have literacy qualifications, and are also in favour of the group system?—Yes.

54. Would you favour the grouping of women separately, or would you have them in the same group with men?—Separately.

55. You also want to secure the presence of a certain number of women in the legislature?—Yes.

56. How would you propose to do that?—By reserving for them a number of seats there—say 6 per cent., as suggested in my memorandum.

57. How would you distribute the seats?—In Bengal there are 5 divisions, and from each division if we took 2 members and one from each university.

58. You would double the university seats and reserve one for women only?—Yes, elected by the mixed graduates. It would be joint voting of men and women.

59. But the constituency would have to submit one man and one woman from each university?—Yes.

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60. *The Hon'ble Mary Pickford:* You say you wish to reserve a certain number of seats in the Council? Are the electors for those reserved seats to be women only?—No, joint electorates.

61. How would you select the seats that are to be reserved for women?—They would be reserved in the different divisions, and two in each division would give us 10 seats. These two seats would be reserved in two different districts according to the number of women voters in them.

62. You don't want to have a special electorate for women; then which area, which constituency would be reserved for women? How will you say, this constituency should be reserved for men and this for women?—It would not interfere with the men question. There will be no separate constituencies for women. Men will not have to give up their seats for women.

63. The men would be allowed to vote?—Yes.

64. Do you belong to any women's organization here?—No.

65. You are coming entirely in your own capacity?—Yes.

66. Speaking entirely for yourself?—Yes. I am a member of the B. C. W., but I am not speaking on behalf of any organisation.

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67. *Mr. Bose (to Mrs. Basu):* You are aware that recently a Primary Education Bill has been passed, and also another pertaining to education. If these bills are brought into law, there will be a large number of schools all over Bengal, and there will be a large number of women in these schools who will teach. Don't you think these women can help elections?—Certainly.

68. As regards identification, are you aware that it is the general rule for men who are standing to employ ladies to go about for them and see the lady electors in their houses. If that be so, cannot these lady canvassers identify the voters in the polling booths?—Yes.

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Memorandum submitted by the MARWARI ASSOCIATION, Calcutta.

The Marwari Association has always held the view that the legislature should be a sort of reduced portrait of all the varied interests of society and no important section of the people should be allowed to go unrepresented or inadequately represented on it. Now that it is proposed to frame the next constitution of India on the principle of a responsible Federal Government with autonomous provinces as units, it is essential that the legislatures should be more representative in character and the Association is, therefore, glad to find that the Franchise Committee consider it necessary to so "widen the electorates that the legislatures to which responsibility is to be entrusted should be representative of the general mass of the population and that no important section of the community may lack the means of expressing its needs and its opinion".

The present franchise, as the Indian Statutory Commission observe in their report, is too limited in its scope. For instance, the Association desires to mention the case of the Marwari community. The Government of India Act of 1919 contains no provision for the enfranchisement of the members of the Marwari community, coming from Indian States, but leaves the question to the discretion of the local Government. The present Government of India Act empowers a ruler or a subject of any Native State in India to be nominated to the various legislatures. It has not declared that the subjects of Native States who otherwise satisfy the franchise qualifications should also be entitled to be voters or candidates for election in the same way as British subjects. The right of such members to vote and to stand for the legislatures has been made dependent upon a declaration to be issued

Memorandum by the MARWARI ASSOCIATION, Calcutta. [*Continued.*

by the local Government. The Government of India Act thus imposes a disability upon the Marwari community which the community does not deserve. The Government of Bengal like the other Provincial Governments have always used their discretion in favour of the subjects of Indian States and by issuing the following declaration have extended the franchise to them:—

Notification No. 1931, dated the 6th September 1923.

1. "A subject of any State in India shall not be ineligible for election as a member of the Legislative Council of the Governor of Bengal by reason only of his not being a British subject."

2. "A ruler of any State in India or a subject of any such State shall not be disqualified for registration on the electoral roll of a constituency for the election of a member of the Legislative Council of the Governor of Bengal by reason only of his not being a British subject."

3. "A subject of any State in India shall not be disqualified for nomination to the Legislative Council of the Governor of Bengal by reason only of his not being a British subject."

The Association considers this method to be unsatisfactory. The rights of the subjects of Indian States should not be dependent upon such a slender basis as the will of the provincial executive. Subjects of Indian States, particularly the Marwaris, have now permanently settled in all parts of British India and have got extensive trade, business and properties therein. They have always been practically treated on the same footing as British Indian subjects. Their interests are identical with those of British Indian subjects. The Indian Princes owe allegiance to the British Crown and through them their subjects. Most of them who constitute the present generation have been born in British India. There should not be a feeling of insecurity in the minds of such persons that their rights have not been clearly settled by statute itself and have been kept dependent upon the discretion of the local Government. Therefore the Association is decidedly of the opinion that the subjects of Indian States, resident in British India, should be treated as British Indian subjects in respect of the right to vote and to stand for election to the legislatures, as they are treated in every other respect, and statutory provision should be made for the purpose. It may be mentioned here that the Southborough Committee of 1919 took this view and recommended that disqualifications based on nationality should not apply to subjects of Indian States resident in British India.

The next point to which the Association desires to invite the attention of the Franchise Committee is the representation of the Indian commercial community on the legislatures. The representation allowed at present through a few special constituencies is far from adequate. The Association has, therefore, learnt with deep concern that according to the minorities pact arrived at in London during the last session of the Round Table Conference, these special Commerce and Industry constituencies are to be abolished. European commercial interests may find representation through their general constituencies if the special constituencies are abolished, but in the present political situation, representation of Indian commercial interests in that case by men actually engaged in commerce and competent to express views on any question from the point of view of the plain business man will not be possible. For, in the general constituencies, the chances of a business man being elected are very remote unless he happens to be taking an active part in politics. Besides, the indigenous industries of the country are still in their infancy and need the fostering care of both the State and the people for their development and growth. In the interests of the industrial and commercial regeneration of the country, it is, therefore, essential that men engaged in commerce and industries should be associated in larger numbers with the legislatures to represent their needs and requirements.

Memorandum by the MARWARI ASSOCIATION, Calcutta. [*Continued.*

The special constituencies which have been created for the purpose are bodies best suited to return such qualified men to the legislatures and there is, therefore, good reason to apprehend that the interests of commerce and industry will suffer for want of proper representation if the special constituencies are abolished. The Marwari Association is, therefore, of the opinion that the special constituencies should be retained and should be allowed to return more members to the legislatures than they do now, to secure that Indian commerce and industry are adequately represented. In this connection it may be mentioned that this Association is one of the special commerce and industry constituencies of Bengal and returns one member to the Bengal Legislative Council. It is also bracketed together with two other bodies, namely, the Bengal National Chamber of Commerce and the Bengal Mahajan Sabha, as a special constituency of the Indian Legislative Assembly and returns one member to the Assembly in rotation. As the oldest and premier representative institution, this Association represents all the various interests of the Marwari community which, while occupying a very high and conspicuous place in the trade, commerce and industries of Bengal, is in a minority in the general constituencies and has little chance of getting representation through them. Therefore the Association is justly entitled to at least two seats on the Bengal Legislative Council and to elect at least one member to the Legislative Assembly at every general election as a special constituency.

As regards the specific questions, the views of the Association are as follows:—

(*a*) The present qualification which is based chiefly on the possession of property and the payment of taxes shuts out many deserving persons. The introduction of a qualification based on education and a further lowering of the property qualification are, in the opinion of the Association, the best means by which the franchise could be extended so as to appreciably increase the number of voters on the electoral roll. The Association is, however, not in a position to say exactly what percentage of the population will be enfranchised thereby. It believes that the extension of franchise, as suggested, will bring in 10 per cent., if not more, of the population on the electoral roll.

(*b*) It is only reasonable to expect that a person who has received some education will be capable of casting an intelligent vote. Then, as regards those who will come in as a result of the lowering of the property qualification, there is no reason to think that the newly admitted persons will be less capable of casting an intelligent vote than those with only an elementary education.

(*c*) The Association thinks that such an electorate would be manageable administratively. So far as the question of arranging for the preparation, maintenance and revision of the electoral rolls and for the recording and counting of votes in an electorate is concerned, the Association is of the opinion that the best means for the purpose would be to reduce the size of the constituencies which will not only make them more easily manageable administratively but will also make it practicable for the elected members of the legislature to come in touch with their constituents. It is hardly necessary to point out that for the training of the people in the duties and responsibilities of citizenship and for ascertaining their views on the current affairs of the country, it is very necessary that their elected representatives in the legislature should come in touch with them as often as possible, otherwise the elective principle loses much of its utility. The Association does not overlook the fact that it will result in a large increase in the number of members of the Legislature and entail heavy expenses. But on these considerations the size of constituencies should not be made unwieldy. The problem of expenses may be solved by reducing the scale of allowance paid to the members. If the size of the constituencies is not reduced, their management

Memorandum by the MARWARI ASSOCIATION, Calcutta. [*Continued.*

after the admission of new voters will of course necessitate the employment of an additional staff for the preparation of the electoral roll, etc.

(*d*) No answer necessary.

(*e*) To enable India to reach the goal of full responsible government within the shortest time possible, it is not only desirable but essential that the suffrage should be widened and the electoral roll enlarged and it is with this object in view that the Franchise Sub-Committee of the Round Table Conference recommended the enfranchisement of 10 to 25 per cent. of the total population. Such considerations as the difficulty of arranging for the preparation, maintenance and revision of electoral rolls and for the recording and counting of votes should not be allowed to stand in the way. With the introduction of an educational qualification, the number of voters will automatically increase as education spreads. The introduction of an educational qualification and the lowering of the existing property qualification are, therefore, the best means of still further enlarging the electoral roll.

Group Voting System.

(*f*) & (*g*) The group voting system, as proposed, appears to be a step forward in the direction of adult suffrage. But the Association fears that the introduction of the group voting system is likely to give rise to party factions in the villages without serving any very useful purpose.

2. FRANCHISE QUALIFICATIONS.

(*a*) In view of the fact that conditions obtaining in the rural and urban areas differ considerably in various respects, there must necessarily be disparity in the operation of the franchise qualifications in urban areas as compared with rural ones.

(*b*) The Association is not in agreement with the suggestion that if communal electorates are retained, each community should be given a voting strength proportionate to its numbers. It may necessitate giving preferential treatment to one community as compared with the others in respect of qualification. Not only will it be unjust and unreasonable but will also aggravate the evils of communalism. Qualifications should never be based on one's community or caste. The Association is firmly of the opinion that in the best interests of the country uniform franchise qualifications for all, irrespective of caste or creed, should be fixed and if communal electorates are retained, seats should be allotted to each community in proportion to its voting strength only and not in proportion to its population.

(*c*) The possession of property is undoubtedly a suitable test of fitness for the franchise but, in the opinion of the Association, the existing property qualifications should be lowered with a view to enfranchise a larger number of the population. The rents, rates and taxes now payable to be qualified as an elector should be reduced considerably.

(*d*) This question has partly been answered. A qualification based on education independently of property should be introduced. At present only a small number of the population is even literate. The standard should not be fixed very high as in that case only a small number of educated men will get the franchise. In the opinion of the Association, those who have received the elementary vernacular education and can read and write, should be made eligible to the franchise.

(*e*) The answer is in the affirmative.

3. WOMEN'S SUFFRAGE.

Since sex disqualification has already been removed, it is only reasonable that means should be devised to admit women to the suffrage. As, however, women do not generally hold property in their own right in this country, the Association agrees that the wives and widows of persons entitled to vote

Memorandum by the MARWARI ASSOCIATION, Calcutta. [*Continued.*

under the property qualification should have the franchise. Besides the educational qualification suggested above for men should apply to women also.

4. DEPRESSED CLASSES.

This Association does not believe that the Hindu Society will refuse to support the candidature of a man simply because of his caste if he happens to have the ability to serve it efficiently in the legislature. Really able men of the depressed classes also have equal chance with men of higher castes of being returned by the general constituencies. The only difficulty is that the depressed classes are not yet in a position to set up many able candidates from amongst themselves. If any special provision is at all to be made to secure a larger or better representation of the depressed classes, the best means, in the opinion of the Association, would be the reservation of a few seats for them. The Association is aware that the creation of separate electorates for the depressed classes is also urged by some people. But a proposal like this cannot be condemned too strongly. It will create dissension in the Hindu community itself as it has created between Hindu and Muhammadan communities and will prove highly injurious to the best interests of the country. As regards the group system of representation, the Association is not in favour of its application either to the depressed classes or any other class.

5. REPRESENTATION OF LABOUR.

The basis of the franchise is already wide enough in the general constituencies to bring the names of many men of the labouring classes on the electoral roll. The addition of an educational qualification as suggested by the Association will possibly add considerably to their number. The Association believes labour will thus find adequate representation through the general constituencies. The Association does not see how the election of special representatives of labour can be secured unless labour is organized to enable constituencies to be formed. So the first essential is the formation of labour unions on proper lines.

II.—THE FEDERAL LEGISLATURE.

The Association has always been of the opinion that the numerical strength of the Legislatures should be fixed after carefully ascertaining the number of interests to be represented thereon. If the strength is fixed first and seats are allotted to the different interests afterwards it may be difficult to secure adequate representation of all those interests and some may go unrepresented. It appears from the questionnaire that in place of the present 20 seats, Bengal will have 32 seats in the lower Chamber of the Federal Assembly, the total strength of which is to be raised to 200. But the Association fears it will not be practicable even with this increased strength to provide constituencies of administratively manageable size for the election of the representatives by the direct vote of the electors. Experience of the past 10 years shows that the unwieldy size of the constituencies and lack of proper means of communication prevent the candidates and the elected members from coming in contact with the voters. This state of things will continue in the future also if the Assembly cannot be still further enlarged. But that, in the opinion of the Association, is no justification for adopting any form of indirect election and keeping the people in the dark as to the affairs of the country. The Association does not look upon indirect election with favour as it will not help towards the political education of the people. In spite of the disadvantages of large constituencies, the election should therefore be by the direct votes of qualified voters and the Association strongly recommends that Indian commerce and industry should be allowed to elect its representatives through its own special constituencies. It will not be possible to secure its proper representation otherwise.

As regards the franchise qualifications they should indeed be higher for the Federal Legislatures than for the Provincial Councils.

1. Rai Bahadur RAM DEO CHOKHANY,
2. Mr. BAIJNATH BAJORIA.
3. Babu GADADHAR BAGARIA.
4. Mr. JATINDRA NATH BANERJEE.

Representing the Marwari Association.

1. *The Chairman:* You represent the Marwari Association?—Yes.

2. You say that your Association is decidedly of the opinion that the subjects of British Indian States should be treated as British Indian subjects in respect of the right to vote and for election to legislatures. Your Association now elects a member to the Bengal Provincial Legislative Council?—Yes, we elect a member from the Marwari Association as a commercial constituency.

3. Now what is the arrangement that exists for enabling the subjects of Indian States to vote and to stand as candidates for the legislature?—We are now depending upon a declaration by the Local Government. We want in the Federal Constitution a statutory provision enabling subjects of Indian States to have the right, when they have acquired necessary qualifications, to vote in British India. We get that right to-day only by reason of the declaration by the Local Government.

4. Your second point is that your Association, in its own right, should have the right to return at least 2 members to the Bengal Legislative Council and at least one member to the Legislative Assembly irrespective of what the Bengal National Chamber of Commerce and the Bengal Mahasabha may get?—Yes.

5. Why do you make that claim to return in your own right two members?—We find that one member is not sufficient to voice our interests and therefore we want two.

6. You mean by "your interests" presumably capital assets and commercial interests. Would you give us an idea as to what they amount to?—Our interests amount to half the trade of Bengal.

7. Your community represents half the trade in Bengal?—Yes.

8. And the Scotsmen have the other half? Is that correct?—This can be verified from the income-tax returns.

9. I see that you are in favour of extending the direct franchise and also in favour of voting by the group system. Is that correct?—We do not favour the group system.

10. *Sir John Kerr:* If you are given votes here in British India under the Federal Constitution as well as in Bikaner, you will have double votes?—We are most of us born and brought up in British India. Only a small fraction are born in Rajputana.

11. In future, Bikaner will probably be represented in the Federal Legislature. So that it may not be necessary for you to have votes here at all?—We are not concerned with the question whether Bikaner is represented in the Federal Legislature or not. We are concerned only with British India. We have our interests here.

12. *Mr. Butler:* Can you give us the number of your population in Bengal?—It is 500,000.

13. Are all these persons engaged in commercial pursuits?—The majority.

14. *Mr. Chintamani:* Do Marwaris in Calcutta, in any manner, finance European business in Calcutta?—Yes.

15. To what extent?—We are shareholders in Joint Stock Companies run by Europeans and we also advance money privately.

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16. *Khan Bahadur Aziz-ul-Huque:* Supposing it is decided that special representation should be given to you, will you confine it to your Chamber of Commerce or will you agree to give the vote to the whole of your population

18th Feb. 1932.] Rai Bahadur Ram Deo Chokhany, Mr. Baijnath Bajoria, Babu Gadadhar Bagaria & Mr. Jatindra Nath Banerjee. [*Continued.*

engaged in trade in this province?—They should be enfranchised; but as we have special commercial interests to protect, we want special representation for commerce.

17. Do you require representation both in the province and in the centre?—Yes.

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18. Suppose commerce is represented, would you like to give representation to labour in the legislature?—We find that labour has got scope for representation.

19. In other words, since labour has got scope for representation, you do not want it to come in?—We want labour to come in, but not by any special constituency. When there are unions they may come in, but not now.

20. *Diwan Bahadur Ramaswami Mudaliyar:* Is there any conflict of interests between the Bengal National Chamber of Commerce and the Marwari Chamber of Commerce?—No.

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21. Supposing the two chambers are given jointly 4 seats of which two seats should be filled up by Marwaris, would you object?—No.

22. My proposal is to give you reservation in a joint constituency of the two kinds of commercial bodies guaranteeing two seats to the Marwaris out of the joint electorate?—We do not object.

23. That is to say that the whole Indian Commercial Community will be grouped as one and your seats will be guaranteed out of that joint electorate?—Yes.

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24. *Mr. Mallick:* Are any of the Marwari firms members of the Bengal Chamber of Commerce?—Very few.

25. Why? Is it because you do not apply?—They do not entertain many applications. Only exceptionally high class people are given admission.

26. Do you know of any case where applications from Marwari firms have not been accepted by the Bengal Chamber of Commerce?—I cannot give you the names. I have heard that applications have been refused.

27. *Mr. Bose:* How many among these 500,000 have become naturalised British subjects?—There is no naturalisation. 90 per cent. of them are permanent residents. Even after their retirement from business, they live in Bengal and die there.

28. *The Hon'ble Bijoy Prasad Singh Roy:* Are you prepared to become naturalised subjects of British India and give up your rights in Bikaner?—We have naturally become British Indian subjects as we have permanently settled in British India and most of those who constitute the present generation have been born in British India. The question of naturalisation, therefore, does not arise.

29. And you want a joint electorate?—Yes.

30. You do not want a separate electorate?—No.

31. You want a special electorate for your trade interests only?—Yes.

32. As the Bengal National Chamber of Commerce?—Yes.

33. *The Hon'ble Khawaja Nazim-ud-din:* How many of you are members of the Bengal National Chamber of Commerce?—Very few.

34. You have stated in your evidence that you control half the trade in Bengal. Then, why don't you all become members of the Bengal National Chamber of Commerce and get representation through that body?—We have

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got our organization for the last 32 years and we do not want to join any other body.

35. You say that you control half the trade of Bengal. Is the other half in the hands of the Europeans?—We do not say that.

36. Supposing the major portion of the trade is divided between you and the Europeans, then it will be quite easy for you to become members of the National Chamber of Commerce and get your representation through that body. If you do that you can ask for increased seats for that Chamber. Why do you not do so?—We are very few in number and the Bengalee members predominate there.

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37. Have you given up your rights as subjects of the Maharaja of Bikaner? You become Bengalees in name and that is all the more reason why you should become members of the National Chamber of Commerce?—There is no necessity for that. We have got our own association. Our interests require more protection than theirs.

38. You want representation to protect your interests and, if your interests can be protected through the National Chamber of Commerce, would you still insist on special representation?—I have already answered that. Our interests will be properly protected only if seats are earmarked for the purpose. Then we would have no complaint.

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39. *The Chairman:* How do you elect your representative to the Council?—Each member exercises his vote in favour of the candidate whom he likes.

40. What is the qualification for membership in your Association?—We have got our rules. Any one who is a Marwari trader of position we take as a member.

41. How many members are there in your Association?—About 200.

42. How many Marwaris are there in Bengal?—About 500,000.

43. So that, you are asking for two seats in the Bengal Legislative Council for 200 members?—These two seats represent 500,000 Marwaris.

44. How do you know that?—They recognise us. They depend upon us for many things.

45. There is no representative system?—No. Our Association consists of 200 members who have got branches all over Bengal.

Memorandum submitted by Rai S. C. MUKERJEE Bahadur, M.L.C

1. EXTENSION OF THE FRANCHISE.

(*a*) The most potent means to increase the number of voters is to alter rule 3 in schedule II of Bengal Electoral Rules. This rule demands that not only property qualification but the tax should be paid before a certain date to qualify a man to be a voter. This very much reduces the number of electors. I will illustrate this. In a union (Kodalia-Devanandapur) of this district (Hooghly) the number of rate-payers is 943, the number of voters for the union is 487, while the number of electors for the Bengal Council is 150 (inclusive of Hindus, Muhammadans and females). This is solely due to the fact abovementioned.

Memorandum by Rai S. C. MUKERJEE Bahadur. [*Continued.*

I will also lower the franchise and introduce new franchise.

I will reduce the chaukidari or union board tax payment qualification from Rs. 2 to 8 annas, or will make all who pay such tax, irrespective of the amount to be voters. This will make the number of voters to be at least 1/10th of the population of each union.

I will make all persons who pay a house-rent of Rs. 20 a year, whether in rural or urban areas, voters. Such persons do vote in municipal elections and if this privilege is extended it will increase the number of voters in urban areas at least to 10 per cent. of the population of the local area.

I will introduce also educational qualification as an independent franchise.

(*b*) I will say, such electorate will be capable of casting an intelligent vote.

(*c*) As regards feasibility of preparation, maintenance and revision of electoral rolls, there will be no difficulty as the municipalities and the union board or chaukidari unions will easily do it, though there might be some difficulty in recording and counting the votes, which will be obviated by increasing the number of polling booths.

(*f*) I agree that it will be a great step towards adult suffrage if persons who have no direct vote be grouped together for election of one or more representative member who would be entitled to vote.

To-day many persons, whether rich, educated or illiterate, are left out from right to vote in each joint family, and this is the rule practically in all Hindu and even Muhammadan families, there is only one voter while the family may consist of 4 to 5 capable persons to vote. Also there are many persons, who because they pay slightly below the minimum rate or have not fully paid the minimum rate within the specified time and thus miss the right to vote and various other persons, who do not enjoy the right to vote, but all such persons cherish the right to vote. This rule will satisfy all such persons and will indirectly hasten the ideal of adult suffrage. But the representatives of each group shall vote in the same constituencies as the directly qualified voters and not in separate constituencies, as the latter will not be practicable in view of seats available and in the same district the number of such representatives will not and cannot equal the number of directly qualified voters.

Moreover this will introduce a new sort of bitterness in the country-class jealousy. I think this mode can be applied to both rural and urban areas.

I am in favour of the group elector possessing other qualifications being qualified to stand as a candidate.

(*h*) I am not in favour of abolishing all existing qualifications.

(*i*) I would make the circle officer responsible for framing the groups. The presidents of union boards are in many cases incompetent for this purpose.

(*j*) I would require both property and educational qualifications for persons chosen by out-groups to vote on their behalf for election of members. At least passing of the M. E. examination should be the minimum qualification.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

It is very difficult to define the words " depressed classes ". To-day owing to the policy of Government and exigencies of service many people are willing to be included in the category of depressed classes but really in Bengal this term is a misnomer and in places where their number predominates they over-shadow the alleged higher classes. If at all it is necessary to keep the term in Bengal, I will not include classes other than untouchables in the definition.

Memorandum by Rai S. C. MUKERJEE Bahadur. [*Continued.*

5. (*a*) REPRESENTATION OF SPECIAL INTERESTS.

I would retain representation of special interests in the Legislatures, on one condition only. A person—excepting in the university constituency—who wants to enter any such special constituency either as a voter or as a candidate should have nothing to do with the general constituency, otherwise such persons would be put in a doubly advantageous position.

2. FRANCHISE QUALIFICATIONS.

(*a*) I consider there is a marked disparity in the operation of the franchise qualifications in urban as compared with rural areas.

The present qualification demands Re. 1-8 minimum tax in towns while annas 2 minimum chaukidari or union rate in villages. I would say that the village qualification should be half of town qualification or at least equal. The present disparity keeps out many persons from the voters list.

(*b*) I agree with the suggestion and am of opinion that the lowering of franchise in the manner suggested by me will produce the desired result if voting strength means voting strength in the constituency. There is an impression in the country that the number of voters in Muhammadan constituencies is much smaller than in non-Muhamadan rural constituencies, but I am not sure of it.

(*c*) & (*d*) I will answer them together.

Property qualification is at present practically the only qualification for the franchise and I will extend it in the manner indicated above. I will include also a man who pays a license tax.

But I will introduce education qualification as an independent one also. And I will make Upper Primary standard in rural, matriculates in towns as voters. This will increase the number of voters and as a voter must be 21 years of age immaturity will thus be avoided. This will bring in many professional men, traders and others in the voters list.

(*e*). I keep no information in the matter but I will include service in Auxiliary and Territorial Forces and if this does not include also men who served in the disbanded Bengali regiments and medical men who served during the war, I will include them also.

3. WOMEN SUFFRAGE.

(*a*) I agree that 21 should be the age also for women to be eligible as voters. But I have got one observation to make in this connection. As matters stand in the country *pardanashin* ladies will not vote and are not voting Two classes of women now-a-days vote; (1) the respectable educated lady and even that is very rare and (2) the uneducated maid servant or prostitute class. The latter never casts an intelligent vote, as there is none to educate their intelligence. If intelligent voting is essential for men, it is doubly so in case of women. I am in favour of extension of women's suffrage, but I will add that in every case the women voter should have an educational qualification which may even be and ought to be an independent qualification for her to vote.

(*b*) There is no harm in group representation being introduced among women but women should be grouped separately.

(*c*) I am not in favour of co-opting women members even as a temporary measure.

4. REPRESENTATION OF DEPRESSED CLASSES.

I, undoubtedly, am in favour of their representation but not in separate electorates. In west Bengal and in this district their number is not large and I am afraid they never suffer from so-called non-representation. In order

that one of them should represent them in the Council, he should be an educated man and an educated man belonging to the so-called depressed classes has always thrived, whether in the services or profession or business and he can very easily hold his own in Bengal against any member of the so-called higher classes in a general constituency. If representation of them in the Council is thought absolutely essential, I will advocate some seats reserved for them in the general electorate. In such case, the special application of the group system to the class becomes unnecessary as they will be included in such system in ordinary case.

5. Representation of Labour.

It is a very difficult subject. It is wellnigh impossible to make a distinction between agricultural and industrial labour in the matter of representation. Both come under the head of labourer and no section of labourer ought to be given a preference over the other section. Again the labourers, if franchise be extended, may and will come in general constituencies, agricultural labourer in rural and industrial in urban areas. If any constituency is desirable at all, the conditions ought to be circumscribed. I will mention a few; (1) labourers having no other home in the province; (2) not being voters in a general constituency; (3) and paying a certain amount of rent or taxes which shall not be in any case lower than the ordinary franchise, and (4) being member of a recognised trade union may form a constituency. In the whole presidency of Bengal, a few constituencies may be created, taking a division where such labour is in abundance as a single constituency.

II.—THE FEDERAL LEGISLATURE.

I must say that Bengal has been shabbily treated in the matter of allocation of seats in the Federal Legislature. I am of opinion that Bengal is entitled to more seats in both the two chambers.

(*a*) Representatives of British Indian Provinces in the Upper Chamber should not be elected by the provincial legislatures. This will contract the constituency and will not tend to send suitable men to the legislature. It should be done by direct election as is now done in the Council of State.

(*b*) I think franchise qualification ought to be higher in the case of the Federal Legislature. I should retain the present franchise for the Legislative Assembly for the Federal Legislature.

(*c*) Opinion is divided in the matter. The great merit of direct election is that middle class and really representative men should be elected to the legislature while by indirect election method opportunities of monied men and land-owning classes to come in would be great. An experiment might be made by a mixture of both if as a result of the extension of the franchise the number of electors greatly increases. The size of a constituency ought to be regarded. In this matter the rural constituency suffers much as compared with an urban one, as it is difficult if not impossible for a member to be in touch with the constituency.

7. I would like to make one remark regarding the representation of women which may not exactly touch the point but comes very near it. The difficulty of identification of women makes the question of representation of women very great. I know from personal experience that the same woman under cover of a veil votes many times in the same polling booth or other booths. Something ought to be done to check this. Another remark I would like to make is that in the matter of representation of labour and depressed class it is neither essential nor desirable to restrict their representative to members of their class. The election may be open to all—it will be for the classes to choose their own representatives.

Rai S. C. MUKERJEE Bahadur, M.L.C., *Ex*-Chairman, District Board, Hooghly.

1. *The Chairman:* Have you come in any representative capacity or are you speaking only for yourself?—I am speaking for myself.

2. *The Chairman:* You say in your memorandum as follows:

"The most potent means to increase the number of voters is to alter rule 3 in Schedule II of Bengal Electoral Rules. This rule demands that not only property qualification but the tax should be paid before a certain date to qualify a man to be a voter. This very much reduces the number of electors. I will illustrate this. In a union (Kodalia-Devanandapur) of this district (Hooghly) the number of rate-payers is 943, the number of voters for the union is 487, while the number of electors for the Bengal Council is 150. This is solely due to the fact abovementioned". You say that you ought to get your voting right on assessment?—Yes, only on assessment and not on payment, people really pay up the assessment due from them, only it is a question of time or lateness in payment. If this artificial distinction is removed, really we can easily reach the ideal of 10 per cent.

3. Supposing we have adult franchise and group elections, do you think it is possible to work the system in practice in the villages?—I have got two objections to it. The first objection is that it is really impracticable inasmuch as it is impossible to group the entire 50 millions into groups. My second objection to it is that if direct franchise is done away with, the great interest that is being taken to-day in Bengal in the elections would largely disappear. I say this on account of my experience of the elections as they took place before the Reforms were introduced and the elections as they now take place. Formerly, it was only a question of the few taking interest in it; but to-day it is a question in which the masses also take interest. It is only the Reforms that has drawn out the masses into the field of politics.

4. *The Hon'ble Khawaja Nazim-ud-din:* If you take the total adult population of Bengal and divide the people into groups, will they not be more interested in the matter, especially when somebody who is known to them in the village is canvassing for their votes; and in such a case, is it not likely that they would be asking questions as to why he is standing and what is the object of the election; and they would take greater interest than under the present system under which a voter comes from a distance of about 5 miles and does not know what he is voting for?—I do not think that is a correct reading of the real situation, because the same interest will be displayed by the voters in the case of direct election as in the case of indirect election. The interest they take is not the interest aroused on the date of the election, because the reading of the vernacular newspapers (even in the case of the illiterates these papers are read out to them) makes them take interest in these matters long before the date of election. They know their own man for whom they should vote.

5. This circulation of election literature in the case of group elections will be done twice, once when the primary election takes place and a second time when the secondary election takes place. So, don't you think that the political education will be greater?—But the responsibility will be less.

6. *Mr. Chatterjee:* Do you want to give the vote to your women or not? Don't you think women should come into politics?—I am willing to give them the vote.

7. You think it is doing a great wrong to them if they are not given the franchise?—I held that view before, but I have changed it. In the first reforms, I voted against it. I am to-day in favour of giving the franchise to women, but only on one condition, *i.e.*, that they must have education. I am not willing to give the franchise to uneducated women.

8. But you are willing to give the vote to a man without education, are you not?—Yes.

9. Now, take the uneducated man's wife, do you think she is intellectually any less fit than her uneducated husband?—But the difficulty is that the uneducated wife, a *purdahnashin* lady, will never come out to vote.

10. We will come to that later. You do not suggest that an uneducated man's wife is less intelligent than her husband?—She is not.

11. You say that the difficulty is that the *purdah* women could not be got to go from their villages to the polling centres. That is your objection?—Yes.

12. But suppose there is a way of getting them to vote in their villages. Then you would not object to it? You admit that our women, both Hindus and Muhammadans, have some freedom of movement inside the villages?—They have.

13. Would you not agree with me that if some system is devised whereby they could be got to vote, your objection will be obviated?—In villages and in election booths managed by women, it may be possible. Unless this is assured, they would not go there.

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14. If it is not possible just at present to get adult franchise for men and women, would you deny them the right to take interest in politics in any other way? Suppose all adult women could not vote for members of the Council direct. Would you deny them the opportunity of taking an interest in the matter of voting for members of the Council?—I will not, and if my condition is accepted, that will never disqualify any intelligently disposed woman from exercising the vote.

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15. Now, on the question whether the system of group voting is practicable or not, the most valuable opinion would be of the Government servants who have had experience of conducting elections, don't you think so?—Yes.

16. *Mr. Bose:* With your experience as chairman of a district board for six years, do you think it would be feasible to have polling booths in every village with lady polling officers and lady presiding officers?—I do not think so.

17. *The Hon'ble Bijoy Prasad Singh Roy:* You were chairman for many years and you have got experience of the mufassal. You want to enfranchise 10 per cent. of the population, and that will increase the number of voters to about 5 millions, will it not?—Yes.

18. Do you think that, without using the group voting system, it would be possible to record the votes?—As I have said, I am not opposed to the group system but I think that that should not stand in the way of the working of the direct vote. I would only take up the group system for the purpose of bringing in those who have not got the right to vote to-day. These persons can be brought in by the method of grouping.

19. So, you would like to have the double system?—Yes.

20. Suppose it is accepted, how would you arrange the groups in the villages? Who will be the secondary voters?—As regards the secondary voters, they must be men with educational qualifications, but not illiterate men.

21. And who is to conduct the first polling?—I think the circle officer.

22. Do you think it will be possible for circle officers to manage so many polling booths?—The circle officers as well as the teachers and head-masters of aided schools in the vicinity will have to do the work. You can get any number of these persons. They can be trusted, but not the presidents because they are in many cases partisans.

23. What do you think of presidents of Union Boards?—I do not favour their inclusion, because they are not impartial men.

24. *The Hon'ble Mary Pickford:* You say you are not in favour of allowing more women to come into the Council; do you object to it even as a temporary measure? Might we know your reasons?—As a matter of fact, I do not think that even as a temporary measure it will produce any tangible improvement in a short time. Because I am convinced that even a temporary measure will not improve the situation. Moreover, we do not know what this period is to be, whether it is to be five years, three years or two years. And there is no reason for giving any special consideration in this matter.

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25. *Mrs. Subbarayan:* The Legislative Council of Bengal has been very slow in giving franchise to women. They have not allowed them to stand as candidates, even now. What is the reason?—The reason is that in those days the prominent people, for instance, like Sir Surendranath who was then a Minister, and was also a Member of the Southborough Committee, were against it. But on the date of election he changed his opinion. There were many, even amongst Government servants, for instance, Sir Henry Wheeler, who voted against it. But the conditions then were different. If there is a qualified lady candidate, there is no reason why she will not succeed even against a male candidate. It is all a question of personality that matters in these elections and not sex.

26. *Mr. Butler:* You have given your opinion that there is a disparity in franchise between the rural areas and town areas, but you do not suggest any actual remedy. Do you think that the group system would help to remedy that disparity.—No. The disparity will always stand whether the election takes place by the direct vote or by group voting.

27. Would it be possible to weigh the country electorate as against the town electorate?—I do not think so.

Memorandum submitted by Sir LANCELOT TRAVERS, Kt., C.I.E., O.B.E., M.L.C.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) I think it will be unwise and very difficult to enlarge the franchise to 10 per cent. now. Extension should be more gradual, and I am in favour of giving the vote to but 5 per cent. now, with another extension 10 years hence.

If the extension to 10 per cent. has to be made, there must be some widening of the basis of the qualification in the country districts, so that the tenant and the cultivator may receive adequate representation.

(*b*) Upon general political questions, no. But the present electorate although swayed by communal and religious aspects, is slowly learning. The ryot, though often illiterate, is not uneducated, and he is shrewd in regard to matters and things which obviously affect him.

(*c*) Not with the present staff. The district authorities can just manage the elections now. By arranging for sub-divisions to vote on different days, or by some other change, it may be possible to manage a moderate increase. But the alteration to 10 per cent. will require a special staff for the keeping of the rolls and a considerable amount of voluntary or specially employed assistance at election time.

(*d*) I consider that the franchise for provincial legislatures should be the same as now in use for union boards, *i.e.*, the payment of Re. 1 cess or Re. 1 (instead of Rs. 2), union rate or chowkidari tax.

This would enfranchise 5 to 6 per cent. of the population, and it would have the additional advantage of bringing the Muhammadan voting strength nearer to the percentage which that community has to the population. The urban franchise to remain as it is.

(*e*) No, but if any very large extension be made, a resort must be made to groups, or some kind of combined electoral unit.

(*f*) Yes. Sir A. K. Ghuznavi's proposals about electorates framed from union board representatives should be considered. But any such scheme will require a lengthy period of organization, and the teaching of the illiterate voter will represent great difficulties.

(*g*) No, not yet. There must be more education before this proposal can be adopted.

2. FRANCHISE QUALIFICATIONS.

(*a*) Yes, the urban qualifications enfranchise a higher proportion than in the rural areas. I suggest that the rural qualifications should be lowered, the urban remaining as at present.

(*b*) Yes, the lowering of the rural qualification to Re. 1 for the union board cess or chowkidary tax would bring the Muhammadan voting strength organized in separate electorate constituencies, much nearer to the population percentage.

(*c*) I cannot think of any other suitable basis for the franchise in India except that of property in its various forms. It is essential that the voter should have some stake or holding in the country. Manhood suffrage in India for years to come is impossible. If there were to be a new tax, based on houses or huts, it might be possible to devise a new basis to the franchise. But as it is, I know of no alternative.

(*d*) No. It would bring an even greater predominance to the urban and city constituencies.

(*e*) Yes, with the proviso that service in the Auxiliary or Territorial services should be real and efficient, a term of (say) 10 years to be served before the vote be given.

3. WOMEN'S SUFFRAGE.

(*a*) Remembering the religious and communal customs of the country and the *purdah* regulations, I am not in favour of any change in the present qualifications for women except that they should benefit as men do by any extension. I think that the various proposals of the Commission and Conference must be preceded by an extension of education and a much larger number of women being out of *purdah*.

4. DEPRESSED CLASSES.

Although I think that the depressed classes will gain in representation by any extension of the franchise, I do not think that gain will be sufficient to give them adequate representation in this province. I think that separate electorates, with a group system perhaps of 10 per cent. of the Hindu constituencies should be reserved for them.

5. LABOUR.

In a Provincial Council of 250, I would allocate 10 or 12 seats to labour now, with a revision 10 years hence. I think that it would be possible to organize constituencies, though care would be necessary to give the plantation labourer his due quota, based upon the labouring population.

Memorandum by Sir LANCELOT TRAVERS. [*Concluded.*

II.—THE FEDERAL LEGISLATURE.

6. (*a*) No. I would reserve only half the number of seats for election by the Provincial Legislatures. The other half should be reserved for election or nomination to secure the representation of special interests and minorities—Landowners, Commerce, Europeans, etc.

(*b*) If the election to the Federal Assembly is to be by direct vote, it will be impossible, I think, to extend the present franchise. If there be direct election for the towns and indirect for the country the result will be that the urban constituencies will, somehow or other, secure advantages over the mufassal. If there be any system of grouping it should be generally adopted.

My views upon the distribution of seats and generally in relation to the Federal Assembly are roughly in agreement with those in the Government of India's despatch.

Sir LANCELOT TRAVERS, Kt., C.I.E., O.B.E., M.L.C.

1. *The Chairman:* I understand that you want to give the Committee some information in regard to tea garden labour. Will you make a short statement on the subject?—I believe that you have actually seen jute mill labour, but I would like the Committee to understand that the people who are employed in the tea gardens are absolutely and entirely different. So far as the Doars are concerned they are aboriginal people from Chota Nagpur and Orissa. There are also Oraons, Mundas, Santals, Pariahs and a few Hindus. They have not got to the stage of labour unions or anything of that kind at all. Their amenities and welfare are looked after well by the planters. It would be absurd in my opinion to put such people into a general labour constituency. I have come before you because for 32 years I have lived amongst these people and speak their languages and know their customs. And we, who are in that position, are very anxious that they should preserve their own customs, many of which are very excellent. We desire that these people should be represented by one of themselves, an educated man of their own race, an educated Oraon for instance. They have no industrial labour at all. Their number would be about 250,000 in the Doars; and probably another 30,000 of them work in the Darjeeling Tarai. In addition to that there are 60,000 to 70,000 of these people who have been employed in tea gardens, and who have settled in the town and busti areas. There is one other point, Sir, I want to touch upon. If the Darjeeling District which is now a Frontier District comes into this Province, it must be recognised that conditions there are different. The people there are entirely different, not only from the Doars people but also those employed in the South of Bengal.

2. You want to have them represented by one of themselves. How would you select that representative?—It would be preferable in my opinion to nominate them because they are not so advanced as to have an election. It could be done, but we would have to teach them. Not that we mind teaching them at all. A constituency will have to be formed. It should not be the usual one. It would have to be done through our own tea garden organisation. We have in the Doars a headman called the sardar. A sardar is the headman of a very large family, and all these people work under him. Through them, as representing their own people, we should prepare a constituency record or electoral roll.

3. I understand that the tea planting association has a seat by itself in the Council. Is it not so?—It had at the time Sir John Kerr was Governor. But the Tea seat is now held by Calcutta through the Chamber of Commerce. I myself represent the Tea Planters, but I do so through a general British constituency. I represent all the British people in the Bihar and Orissa Division besides the Tea Planters.

4. How many separate interests do you represent in your own person?—I do not know what the European population is. We never had any contest. We are always elected without a contest.

5. *Sir John Kerr:* Could you tell us how many people on the average these sardars have under them?—The number ranges from ten to as many as 80 or 100.

6. Would you propose that the sardar should automatically be taken as the mukhia?—If you had a constituency I should say that you should take the gardens, consisting of so many thousand people, and let the sardars decide for themselves which of their number, proportionate to the garden population, they would elect. A tea garden may have a thousand to two thousand inhabitants. We have a census of them and it is perfectly simple to arrange it.

7. You say that they should be elected by the people themselves?—The sardars do automatically represent their family as for the small sardars, it would be perfectly easy for them to elect men from themselves in each estate.

8. Will the sardars do the electing or the coolies?—It is unnecessary for the coolies to elect because the sardar is the headman of all these people and he does automatically represent them. I do not think you can go so far as to get them elected by their own people. The sardars also have as a rule a certain amount of education. They do represent the people because each sardar is the headman of his clan.

9. The Sardars under your system will automatically become electors?—Really I think it would be best.

10. It would be very difficult to have a scheme of that kind under the law?—It must be made a special constituency.

11. If it is a special constituency, it may consist of sardars. How would it work if you divide the coolies into groups, each group to elect its own mukhia, who will probably be the sardar?—Very likely he would be the sardar. I have not heard of this mukhia system. But I think that these people are entirely simple, unsophisticated and aboriginal, and the whole thing would be new to them. They would perhaps know of a panchayat.

12. But even so, if we give them electoral rights, it would be necessary to have simple and clearly defined regulations. You cannot say that the sardars should form the electorate. We must have some regulations to have the representatives of these labourers selected by themselves?—For people of this class, nomination is certainly preferable at this stage and also for another ten years.

13. If there is no nomination, do you think it would be feasible to frame simple and clear regulations?—I think we could adopt the mukhia system. The planting community themselves always do their best for these people. Every tea garden manager would try to help them to get their best representative.

14. *Dr. Ambedkar:* What is the relationship of these sardars to the tea garden workers?—In my district, the sardar is simply the person under whom the coolies work. He has no official position on the work itself. He gets a commission of a pice a day for every person under him. They are all his own people. All labour is purely voluntary and has to be done by the people themselves. Their headman is really the sardar.

15. There is practically very little identity of interest between the sardar and the actual worker, is it not? Because the sardar works on a commission system under the planter?—The sardar is very often what we call the duffedar and also the headman. But the relationship between him and the coolies is simply that of the head of a family. We try to adopt as much as possible the same system in tea gardens as they have in Chota Nagpur.

16. Supposing any question affecting labour interest arises in the Council, do you think the sardar on the plantation would very faithfully represent the coolies elected on the system you suggest?—The sardar will represent their interests absolutely correctly because he is one of themselves.

17. He would not take sides with the employers?—In regard to that you must remember that the relationship between the employees and the employer in a tea garden is different from the relationship of the employees and the employers in a jute mill. Our amenities in tea gardens are fairly in advance of any place in India.

18. *The Chairman:* How far away are these tea gardens?—300 miles.

19. Do you think they will be satisfied with nomination in the first place? —It will serve as a period of education for them.

20. Is the sardar intelligent enough to take part in Legislative Council work?—I stated that they should nominate an educated sardar. Some of them, for instance, are in charge of factories.

21. They will be able to satisfy the labourers?—Yes, because the sardar is one of themselves.

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22. *Diwan Bahadur Ramaswami Mudaliyar:* Would you call this aboriginal labour depressed class?—The definition of depressed classes includes them, I believe, in this province. They are not normally depressed classes at all. They are not Hindus, they are animists. They are a simple people of the countryside. They come under the technical definition of depressed classes.

23. What is the difficulty about the children of these people attending the primary schools?—They are a little prejudiced. They have got cattle, goats and so on. They say "Why should I send my boy to a school? He will look after my cattle and bring his earnings to the family". This is how they argue.

24. What facilities have the Government placed at their disposal in the way of opening Government schools for the purpose?—We have, of course, tea garden schools. We can't go very far. If the Government of Bihar and Orissa comes to our aid we can go ahead.

25. I thought this area was under the Bengal Government?—These people all come from Bihar and Orissa. They are aboriginals who have been brought in as coolies. Of course, we have our tea garden schools.

26. Am I to understand that the education facilities are provided by the tea planters and not by the Bengal Government?—The tea garden schools are run on an elaborate system. We get aid from Government in many ways. We appoint our Managers and they are inspected by Government officers, and so on.

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27. *Mr. Bose:* About your coolies, is a majority of them non-resident or are they permanent residents of your garden?—A very large majority are residents. A certain number go down to their country every year.

28. If a very large number are residents, can they not take their chance with the rest of the population of Jalpaiguri?—You have to remember that our tea garden labourers are entirely a separate people. They are the Oraons of Chota Nagpur and the people of the district would be, a large majority of them, Bengali. It would mean that 250,000 people would be represented by a man of another race.

29. But then if adult franchise is to be introduced in the district, every Bengali and every other resident of Jalpaiguri would come in. Could it not in the same way be introduced for Oraons and Mundas who have practically become Bengalis?—They are so backward a people. The ryot has advanced, but they are a very backward people. I would like to see them represented by their own people.

30. *Mr. Basu:* I want to know whether you think that in the Legislative Council questions will often arise which require the special representation of tea labour?—I should imagine, in the future they may be more frequent than in the past.

31. You said that there are 3,100 coolies in your garden?—In my own estate.

32. How many Sardars have you got in that estate?—About 40.

33. Are the Sardars usually the blood relations of the people whom they control?—Yes. Very nearly always.

34. The group of coolies who work under a Sardar usually have connection of some kind?—He is certainly the leading man of their family on the garden and often in the district as well. One man, for instance, comes from Chota Nagpur and under him he collects all the junior relatives of his own family.

35. Then when he dies, is he usually succeeded by a member of the family?—Yes, practically always. The next leading member of the family usually succeeds.

36. So that there is really no difference between the opinion of the Sardar and the group whom he controls?—They are the same. They are not, of course, tied to their Sardar. They can leave him and go to another.

37. Generally there is the blood relationship?—Generally, and I should say the Sardar is a true representative.

38. *Mr. McCluskie:* If you have the group elections with the Mukhiya system, each garden will elect its own representative. There are several gardens in your district. Presumably each garden will send its own representative and eventually elect a member. You don't anticipate any trouble in such an election?—The whole matter will take some time to organize.

39. Supposing one garden representative is a Munda and another one an Oraon, what is going to happen then?

The Chairman: What is the proposition?

Mr. McCluskie: In the event of the group system being introduced, each garden will have to elect, presumably, its own representative and those representatives will elect their nominee. I was doubtful whether that would work.

Sir John Kerr: That was not my suggestion—that each garden would elect one representative. My idea was to group all the labourers into groups of 20 or 30 and then each group would elect one man. I was wondering whether a beginning could be made on those lines.

40. *The Chairman:* Are there any electors among your coolies now?—There are no electors at present.

41. There is nobody qualified in any tea garden under the present property qualifications?—No.

42. If you lower the property qualification, it is conceivable that you may get direct voters from your tea garden labourers?—Our people have got property in the shape of cattle and so on and a few of them have land in the district. Still, they collect a considerable amount of money and go down to Chota Nagpur, back to their own country and buy land there.

43. Under the existing franchise qualifications, is it possible to get a certain number of coolies exercising the vote by virtue of their land?—Outside the garden areas, I suppose, they would be qualified.

44. *Major Milner:* Don't any of them pay taxes?—No.

45. The Sardars?—No.

46. *The Chairman:* When they come to the district they bring their wives and families?—They bring their families.

Memorandum submitted by Maulvi SYED NAUSHER ALI, M.L.C., Chairman, District Board, Jessore.

Memorandum.

I.—PROVINCIAL LEGISLATURE.

EXTENSION OF FRANCHISE AND FRANCHISE QUALIFICATION.

Adult suffrage should be the goal but the time is not yet. The family and not the individual is the unit in Bengal now. I would therefore suggest that there should be one vote for every household. This is a natural group and it has many advantages over any artificial group that may be suggested. In fact in my opinion it would be impossible to find out any suitable or sound principle of grouping the adults in the present social and political condition of the country. Apart from the question of practical difficulties which, to my mind, seem to be almost insurmountable and which will certainly be greater in a group system as suggested than if direct adult suffrage be adopted. The group system, to my mind, seems to be open to serious objections on principle. Any such artificial grouping is open to manipulation in a way that may reduce the majority into minority. For example in a locality where there are 60 adults, 22 of one political view and 38 of a different political view, in a group system of 20 there may be 2 voters of the 22 and one only of the 38. My suggestion of one vote for every household has got a certitude which will be wanting in any other suggestion inasmuch as the list to household will appear from a public document namely the Assessment Registrar of Union Boards or of the Panchayati Unions. Even the suggestion of adult suffrage has not got this certitude inasmuch as this ascertainment of age, specially of women would be an almost impossible task in the present state of records relating to age. My suggestion would extend the franchise to over 10 per cent. of the population on the calculation that an average family consists of 8 to 10 persons. To effect this all that we have got to do is to delete the property qualification and the sex disqualification from the present qualification of voters for Union Boards and Local Boards. If the Committee considers property qualification a necessity the only qualification should be payment of union rate or choukidari tax *of any amount* and no other property qualification, *i.e.*, cess which requires roving enquiry. Whatever qualification the Franchise Committee may be pleased to adopt I would very strongly urge upon the necessity of adopting a *definite and certain qualification* that may be ascertained by reference to a public document prepared in the usual course of business and so far as I can see the assessment list of union rate or choukidari tax is the only such public records. I am not in favour of any other qualification, educational or otherwise excepting the military service qualification for encouraging the military service in this country. I am in favour of one general franchise qualification for all and women must come on their own strength and not on the strength of their husbands.

Memorandum by Maulvi SYED NAUSHER ALI. [*Continued.*

REPRESENTATION OF COMMUNITIES, WOMEN, LABOUR, DEPRESSED CLASSES AND SPECIAL INTERESTS.

I am in favour of Joint Electorate for all Indians for the simple reason that communal electorates hamper the growth of party on economic lines and divide people with common interests into watertight compartments in consequence whereof the proletariat suffer and real demoracy is not introduced in the country. There are many other weighty reasons also. Communal electorates have been claimed on two grounds, namely (*i*) where votes are cast on communal lines a minority community has no chance of representation in the general electorate, (*ii*) where one community is so much under the influence of another community as not to be in a position to exercise their votes freely and independently. Now judged by these grounds it is apparent that the first ground does not hold good in the case of Mussalmans in Bengal. As to the second ground I know there are persons who advance this ground. But I can say from my experience that this ground also does not hold good in the case of Mussalmans of this Province. What is wanting is not independence in the electors but leadership and organisation among the Mussalmans and these again are to a very great extent due to the existence of communal electorate for the Mussalmans which have made them lethargic. It may be urged that the very admission of mine that there is want of proper lead and organisation is a ground for the continuance of communal electorate for the Mussalmans. To this the simple answer is that it would be putting a premium on idleness and it does not stand to reason that a community should have preferential or special treatment simply because its leaders are idle. I am decidedly of opinion that communal electorates for Mussalmans is not only not necessary but highly prejudicial to the interests of Mussalmans themselves.

If communal electorate is necessary for any body it is necessary for the Europeans and the Depressed Classes. In the present political condition of the country the European interest will not be represented in any system of Joint Electorate because they are in a hopeless minority. Even reservation of seats will not be a sufficient safeguard inasmuch as the representatives in that case will not be real representatives of the European interest but mere creatures in the hands of the overwhelming majority of Indian electors. I am afraid any such arrangement, if made, would be unfair and would defeat the very object. But I am strongly opposed to special representation of any European special interest for the simple reason that their interest in this country is mainly commercial and even assuming that they have different interests I think all those will be properly represented by *any* European. If necesasry, the different interests may be taken into consideration in allotting seats to the Europeans.

Next comes the questions of the Depressed Classes. They, in my opinion, deserve special treatment on both the grounds stated above. In a system of electorate where they have to contest with the advanced sections of the Hindus their case seems to be hopeless. Socially they are out-castes, educationally they are very backward, economically they are extremely poor and they are so bound by religious injunctions as not to be able to resist the dictates of caste-Hindus who are practically their masters. Add to this the age-long prejudice that the Depressed Classes are intended only to serve the higher classes or in other words their *only rights* consist in serving the higher castes. This idea has not yet died out and the European members of the Committee may be surprised to learn that Depressed Class students are refused admission to schools managed by caste-Hindus, though aided from public funds and separate schools have got to be started for these Depressed Class students. The Kagmari Depressed Class school in Jessore is an instance in point. In one instance I was much pained to know that the students of this school were not allowed access to a public meeting where I had the honour to be present and they

were made to stand at a distance. Representation has also been made to me as Chairman, District Board, by Depressed Class people for the construction of sources of water supply for their use on the ground that the local caste-Hindus would not allow them to use their tanks though these tanks were open to all other communities. In these state of things it would be absurd to expect fair representation of the Depressed Classes in general electorate specially, if communal electorate be conceded to the Mussalmans, for in a system of Universal Joint Electorate there is a chance of their combination with the Mussalmans in view of their common interest. In my opinion their claim for Separate Electorate stands first, if Separate Electorate is at all conceded to any class or community.

In my opinion it would be desirable to have a few seats reserved for women.

I am against all special constituencies: All their special interests will be fairly represented in a system of electorate as suggested above. It is apparent that agricultural labour will be more than fairly represented. As to industrial labour, there are very few labourers who have no homes and in the system suggested they will be fairly represented.

THE FEDERAL LEGISLATURE.

I am against an Upper Chamber.

Memorandum submitted by Maulvi NUR AHMED, M.A., B.L., Chairman of the Municipality of Chittagong.

I.—PROVINCIAL LEGISLATURE.

1. EXTENSION OF FRANCHISE.

(*h*) I consider that it would be feasible and advantageous to abolish all existing qualifications for voters and to extend a system of universal manhood adult suffrage as indicated in (*f*) confining the electorate for all constituencies to secondaries chosen by groups of primary voters.

(*i*) In my humble opinion, union boards wherever they exist—in the absence of the same the present panchayet area in the case of rural areas and wards in case of urban areas—should be sub-divided into groups of 500 adult voters who will elect 10 secondary voters either from themselves or from the voters of the same union in the ward. Special officer appointed for the purpose or the circle officers in rural areas—the Chairman of the Municipality in urban areas may be charged with the duties of the framing the same.

(*j*) In my humble opinion the persons to be chosen by the out groups to vote on their behalf for the election of members should possess educational qualifications so that they may cast their votes intelligently. At least they should be well versed in the vernacular of the district.

I am for universal adult suffrage for man and woman.

2. FRANCHISE QUALIFICATION.

(*a*) I do not see any serious disparity in the operation of the franchise qualification in Chittagong villages and town.

(*b*) I strongly advocate that each community should be given a voting strength proportionate to its number. I suggest universal manhood adult suffrage as the only feasible means.

(*c*), (*d*), (*e*) I am against any sort of special qualification either property, educational, or military. Introduction of adult suffrage is the only suggestion that I can offer.

3. WOMEN SUFFRAGE.

(*a*) & (*b*) I advocate adult suffrage for women also. They should be grouped separately as suggested in the case of males and should elect their own electors to vote in their behalf. These secondary voters should not possess any educational qualification for ten years.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

I am not in favour of reservation of seats for the depressed class. The introduction of adult suffrage would result in the increased representation of the depressed class.

5. REPRESENTATION OF LABOUR.

I am against any special constituency. Some seats may be reserved for five years for special representation of labour in selected areas in the general constituency.

II.—FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS.

I do not agree to the proposed number of seats allocated to Bengal. In my opinion their number should be increased to 40 at least.

(*a*) & (*b*) I do not agree that the representation of British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislature by single transferable vote. I suggest that in addition to the members all the members of the local bodies, such as Municipalities, District Boards or similar bodies in each province should be given right to vote in the election of members to the upper chamber. I think that the qualification should be same for both the legislatures.

(*c*) I have already indicated in answer to (*j*) in section I, how the voters would be grouped and how they would elect secondary electors.

I offer the same suggestion in the case of Federal Legislature also.

Rai A. C. BANERJEE Bahadur, Chairman, District Board, Birbhum.

Maulvi NUR AHMED, Chairman, Chittagong Municipality.

Mr. J. AHMED, Chairman, District Board, Chittagong.

Maulvi SYED NAUSHER ALI, M.L.C., Chairman, District Board, Jessore.

1. *The Chairman:* Are you, generally speaking, in favour of the extension of the franchise? Now you have got about 3 per cent. and you will cover 10 per cent. by lowering the property qualification?—(*Mr. Nur Ahmed*): Yes. I am for universal suffrage, adult suffrage for both men and women.

18th Feb. 1932.] Rai A. C. Banerjee Bahadur, Maulvi Nur Ahmed, Mr. J. Ahmed & Maulvi Syed Nausher Ali. [*Continued.*

2. Supposing it was proved to you by experienced ministerial officers that it would not be practicable to extend the franchise to the whole of the population by direct election, would you be in favour of grouping them in groups of, say, 20 and each group sending one man and thus giving them a share in the government of the country?—I am in favour of grouping.

3. Would you be in favour of taking away the direct voters altogether and grouping the whole population or would you combine the two systems?—I am against a partly direct and partly indirect system.

4. You would like all indirect?—I am in favour of the group system.

5. Grouping the whole population?—Yes.

6. Primary voters and then secondary voters?—Yes.

7. And having no direct voters at all?—No.

8. Does any other witness want to say something else?—(*Mr. Nausher Ali*): So far as I am concerned, I have got my own views. My view is that the franchise should be extended and that the goal should be to introduce adult suffrage as soon as possible, but the time has not yet come. There is political famine in the country. So, what I would suggest is that there should be one vote for every household and it will be very easy to work because we will have every household recorded in the assessment register or the Union Board register and this, I think, will produce voters to the extent of about 10 per cent. or a little more than that.

9. Who would cast the vote for the household?—One man nominated by that household.

10. How would a household nominate a man?—That they would do amongst themselves. Under the existing qualifications for the franchise, for elections to the Local Board and Union Board, payment of Re. 1 as cess or Union Board rate is the condition and one undivided joint family has the option to nominate a member—adult male member, I would say that the restriction with regard to the male may be excluded and the property qualification may be adopted. This will extend the franchise and the result would be that more than 10 per cent., I think, would be enfranchised in this way. This will have an advantage over the group system in this way. That will be an artificial system whereas this is a natural system and to my mind that will be a very difficult and almost an impracticable system. Then there will be manipulation in the preparation of the roll. There is one more reason that has induced me to recommend this. In this part of the country at least, I think, the headman represents the family. There are very few cases where a member of the family has got a different view.

11. Is that so?—With the greatest respect to you, I would say that this is commonly so except in the highly cultured and enlightened families. There are very few such families compared with the vast millions of the masses. In the country we will scarcely find people living in the same family, I mean the same mess, and having different views.

12. By what process does the family nominate its member? Would they have to go to the magistrate and say so. How would you know that this particular person is the representative of the joint family?—The system is this. The name of the member whose name appears in the assessment register is first included and if the family chooses they can send in another name. That is the present system and it may be introduced this way. In a joint family, the family may be asked at the time of the preparation of the electoral roll to send up their names. This may be very easily done.

13. You object to the group system because you think that that is an artificial system?—Because there would be room for manipulation. In the

18th Feb. 1932.] Rai A. C. Banerjee Bahadur, Maulvi Nur Ahmed, Mr. J. Ahmed & Maulvi Syed Nausher Ali. [*Continued.*

present state of the education of the country and the political famine it will not be wise to introduce that system. Those few who are more intelligent will have the voice.

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14. Mr. Nur Ahmed, your scheme will not be disfavoured by those who have got a right to vote now?—I don't think so. They will get the right to elect one voter at least.

15. I want to ask another question. In the Municipality where you are the Chairman how would you devise this group system? How would you give a vote to them? Could you give us the procedure for the formation of the group?—In the municipality every ward can be divided into so many groups. There is no difficulty.

16. How will you place your groups? By streets or will you take so many houses?—By numbers.

17. Will you have men and women joined together?—Separately grouped.

18. And the election to the group would be by means of the ballot or open?—For women I am in favour of voting by post.

19. In the case of men?—Ballot vote.

20. And who should preside at the election?—In the case of men there is the Circle Officer; or a leading non-official.

21. And women can act as presiding officers in the case of women?—They can as they do now.

22. May I ask what will be the opinion of all those who will lose this right of direct voting by the introduction of the group system? I mean what will be the feeling of those people who at present enjoy the right of direct voting, if the group system were introduced?—*(Syed Nausher Ali):* I am not in favour of this system, and think we should have direct voting.

23. Supposing it was not so, what do you think would be the opinion of those who have got the right and lose it? Do you think they will be very much dissatisfied?—Just at present we have almost in all cases one voter in a family, so that in the group system they would have nothing to object to.

24. In the case of those who have not?—The number will be very few. I don't think there will be any difficulty. They will not feel any inconvenience.

25. Are you in favour of the group system?—*(Maulvi Nur Ahmed):* Yes, if adult suffrage is introduced. Pending the introduction of that system, property qualification should be enforced.

26. Every man who pays a tax should be a voter?—Yes.

27. You know the municipal law that anybody who pays a tax for a holding becomes a ratepayer and has the right to vote?—He does not become a ratepayer. Only those who pay municipal rates up to Rs. 1-8.

28. That is the existing municipal qualification, anybody who pays municipal rates becomes a voter. Is that not going to bring in any man who is the owner of a holding, even if he is a small holder?—In that case there must be provision for a joint family. Say there are 4 members in a family, who pay rates of 6 annas, they will all become voters.

29. In the municipality it is anyone who pays rates, even one anna?—Yes.

30. Do you think it will be possible to give effect to the group system in the villages as a practical proposition?—Yes, in this way that these voters need not be on the electoral roll; they will be secondaries.

18th Feb. 1932.] Rai A. C. Banerjee Bahadur, Maulvi Nur Ahmed, Mr. J. Ahmed & Maulvi Syed Nausher Ali. [*Continued.*

31. How will you elect the secondaries?—There are Union Boards. There are village school teachers whom we can rely on.

32. How will you form your groups in the villages?—I would prefer about 25.

33. How are you going to choose who is going to be in the group?—Every adult.

34. There will be different groups, A, B, C, D. How are you going to say who is to be in group A, for instance?—Every adult member. There is something like the *purah* system in vogue, the *mohalla system.* In the towns and villages they have also got the *samaj* as it is called. The *samaj* may be taken as a unit.

35. Would you group women separately?—Yes.

36. *The Hon'ble Bijoy Prasad Singh Roy:* I take it that you are the Secretary of one of the Associations which exists for the improvement and education of women? What is your idea of franchising women?—(*Rai Bahadur A. C. Banerjee*): Just in the same way as it has been extended to men.

37. On property qualification?—What will be the basis in the future constitution it will be very difficult to say.

38. What is your suggestion?—In our country as you know properties do not belong primarily to the women. They belong to men and at times to women. Those women who have property have their votes already, but some such system should be devised which will give all adult women a vote. If we have it for all adult men there is no reason why we should not have it for women also.

39. In the rural area will they be able to exercise that vote?—Yes.

40. What arrangements would you make for polling?—There may be separate centres for recording their votes, but no other arrangement is required to be made. Most of them do not observe purdah now-a-days.

41. How will candidates approach the voters?—That will be the look out of the candidates. If women be given the right of voting they will understand what the right of voting means, and she can be approached through one of the men of the family. The candidate will say "I want to see Mrs. so and so or Miss so and so".

42. *Mr. Bose:* Supposing you are a candidate and there are many women voters in that constituency, do you think it will be practicable for you to approach these women?—It would be quite practicable for me to approach a large majority of them, if not all.

43. Even in the rural areas?—It is easier in the rural areas than in the towns.

44. Then why do you suggest separate polling stations for women?—For the convenience of the women, not for any other reason.

45. *The Hon'ble Khawaja Nazim-ud-Din:* You do not approve of women getting votes through their husbands?—(*Mr. Nur Ahmed*): How can they possibly get it?

46. I mean that the wife of any man who is a voter should also be a voter?—Simply for the reason of being the man's wife? I never gave a thought to it and cannot say anything about it.

47. Supposing there was this suggestion? You would not approve of it?—As a woman she would have her own vote quite irrespective of being a wife.

18th Feb. 1932.] Rai A. C. Banerjee Bahadur, Maulvi Nur Ahmed, Mr. J. Ahmed & Maulvi Syed Nausher Ali. [*Concluded.*

48. Supposing we don't get adult suffrage, and some sort of property qualification is enforced, how would you bring in more women, especially in the case of Hindus who have no property?—You mean unless the wife of a husband is given the right of voting? The more the sweeter. I shall be very pleased if she gets the vote.

49. You don't apprehend that if you do that it will be doubling the vote of the men without ill effects on the franchise or on the electorate? Supposing a woman gets the vote through her husband, don't you think it will really mean doubling the vote of the man?—I don't care. If I think that every man or woman should have the vote it does not matter whether she gets it through her husband, brother or God.

50. You said you wanted separate groups for women. Do you mean that these separate groups should only vote for women, or can they vote for male candidates?—For male candidates.

51. *Mr. Basu:* Mr. Ahmed, do you agree with me that if we had this indirect system it would to a very great extent eliminate the difficulties of separate electorates?—We are not prepared to answer that question.

52. *Sir Muhammad Yakub:* May I ask whether the answers you have given are the opinions of your respective Boards or are your individual opinions?—Our individual opinions, but I think we are in general agreement with our people.

53. Did you discuss these questions at a meeting of your Board and get the mandate of your Board?—No, we were not asked to do it either.

54. May I ask the Muslim members here whether they would like the Muslims to be grouped with the non-Muslims, or would they like separate groups?—(*Mr. J. Ahmed*): I am a supporter of the joint electorate.

(*Mr. Nausher Ali*): There is no question of grouping Hindus and Muhammadans together.

(*Mr. Nur Ahmed*): Provided adult suffrage is introduced, I am for joint electorates.

55. If it is not introduced?—I am for joint electorates, but I think the franchise should be lowered.

56. If not done, then what?—I am not then in favour of joint electorates.

57. What would you like then?—Separate electorates.

(*Mr. J. Ahmed*): I am in favour of separate electorates if adult suffrage is introduced.

(*Mr. Nausher Ali*): I am in favour of joint electorates.

58. *Mr. Roy Chaudhuri:* May I enquire if there are any members of the depressed classes on the district board?—One.

59. When were they appointed?—I think four years ago.

60. I mean on the staff of the district board?—Yes, recently.

61. There was none before that?—No.

62. Have you ever appointed any medical officer from the depressed classes?—I have.

63. Did you have any trouble about them?—I had a great deal of trouble in posting them. Wherever I wanted to post them the caste Hindus objected. In one case I had to transfer a man and put him in a certain place where there was a preponderance of Muhammadans. Recently another man was posted to a certain place and the caste Hindus resigned from the membership of the committee.

Memorandum submitted by Mr. DAVID EZRA, Calcutta.

I have the honour to enclose for the information of the members of your Committee copy of a Memorial submitted by me on behalf of the Jewish Community of Calcutta to the Chief Secretary to the Government of Bengal on the 20th August 1929 for transmission to His Excellency the Viceroy and Governor General of India in Council.

The necessary action by the Government of India in regard to this matter still remains in abeyance pending settlement of other important problems connected with the future constitution of India.

As, however, the Memorial involves the Franchise question, I take the opportunity of placing the subject before the notice of your Committee in the expectation that it may receive the favourable consideration necessary to the redress of our grievance.

I would state for the information of your Committee that the Memorialists who represent the British section of the Jewish Community of Calcutta consider it imperative that their political status should be equitably established by the Government of India on a Racial basis, and that their Race entitles them to be officially attached to the political group representing the "White" races domiciled in India known as the "European" group regardless of the present limitation to descent from a European country.

Memorial dated the 20th August 1929, submitted by the Jewish Community of Calcutta, To His Excellency The Right Honourable The Viscount Goschen of Lawkhurst, G.C.I.E., C.B.E., V.D., Viceroy and Acting Governor-General of India in Council.

1. Your Memorialists comprise amongst them the elders and leaders of the Jewish Community of Calcutta, being all natural born British subjects.

2. The Community that your Memorialists represent belongs in common with the other Jewish Communities domiciled in British India to that section of Jewry known as Sephardim, who are the descendants of the Spanish and Portuguese Jews, who migrated during the Spanish Inquisition among other places to pre-war Asiatic Turkey and is distinct from the Community known as the Bene-Israelite Community of the Bombay Presidency.

The Community is composed of two sections: one being mostly foreign born, who with their families have retained their foreign habits and not yet adopted British standards of living; the other being natural born British subjects—mostly for several generations, who have been educated and live in the British style.

3. Your Memorialists approach Your Excellency with this Memorial for redress of a grievance touching their status as affected by the Bengal Electoral Rules, 1926.

4. The Bengal Electoral Rules, 1926, now in force provide, apart from special constituencies, certain general constituencies for elected members as specified in Schedule 1 of the said Rules; such constituencies being divided into four groups, *viz.*, Mahommedan, Non-Mahommedan, Anglo-Indian, and European, and defined in Schedule 2 of the said Rules.

5. Your Memorialists' Community being Non-Indian, and neither complying with the Anglo-Indian definition by reason of the purity of its race, nor being embraced by the European definition as laid down in Clause 1 of the said Schedule 2, possesses no legal status except by being drawn within the scope of the Non-Mahommedan definition as provided by Clause 2 of the said Schedule.

6. Your Memorialists' Community has always kept aloof from all political agitations in this country, because of its unswerving loyalty to the British Crown, its keen appreciation of the blessings of an enlightened and liberal Government, and its respect for law and constituted authority.

Memorandum by Mr. DAVID EZRA. [*Concluded.*

7. Your Memorialists, however, feel strongly in common with all other loyal fellow citizens the growing necessity of participating in the politics of this country as a support to Government no less than as a measure of self-protection in these times of political unrest, and regard it as an undeserved hardship that the franchise legally allowed to them is rendered sterile by reason of the difference of their political views to those generally held by the Electorate of Non-Mahommedan constituencies in Bengal.

8. Although your Memorialists' Community, owing to the smallness of its numbers, constitutes a Minority in the country, it nevertheless represents considerable interests in Landholdings, Commerce, Trades and Professions in India.

9. Your Memorialists would draw attention to the fact that their brethren domiciled in the United Kingdom of Great Britain and in other parts of the British Empire, are subject to no Political, Communal or Social disabilities although they do not conform to the definition laid down in Clause 1, Schedule 2, as aforesaid, that they enjoy full civic rights, and live in harmony with their fellow subjects and that many of their number have settled down permanently in England, and some have occupied public positions and entered Parliament.

10. Your Memorialists respectfully submit that they, by reason of their race, their ancient culture and traditions, and the similarity of their position, to that of the rest of British Jewry in the British Empire, their mode of life and ideals to those of the community defined in the said Clause 1, Schedule 2, are allied to the aforesaid European Group, and deserve the same civic status and rights.

Your Memorialists therefore pray:—

That Your Excellency in Council may be graciously pleased to favourably consider the premises aforesaid and be pleased—in the coming Reforms—to extend the scope of the definition of a European in Clause 1, Schedule 2, of the Bengal Electoral Rules, 1926 by the inclusion of *all natural born British subjects of the Jewish Community living in the European style and domiciled in Bengal*, and as in duty bound your Memorialists shall ever pray.

United Provinces.

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Memorandum submitted by KHAN BAHADUR MAULVI MUHAMMAD FAZL-UR-RAHMAN KHAN, B.A., LL.B., M.L.C., of Shahjehanpur.

I.—PROVINCIAL LEGISLATURE.

1. Extension of franchise.

(*a*) In my opinion the existing franchise for the Provincial Legislature could be extended so as to include about 10 per cent. of the population in the electoral roll, if the present property qualifications are lowered by 25 per cent. I would also recommend that every person who has passed the Vernacular Final Examination or any other equivalent examination should have the right of vote.

(*b*) In my opinion even the existing electorate is not quite capable of casting an intelligent vote and the proposed electorate is much less likely to be intelligent or independent.

(*c*) If the electorate does not exceed 10 per cent. of the population I would answer the question in the affirmative.

(*d*) As Indian masses are still uneducated I don't think it is possible to have an independent or intelligent electorate unless it is decided to have only the highly educated and men of subsistence on the rolls. But I am afraid if this suggestion is adopted the number of voters will go down to an objectionable extent.

(*e*) I am not in favour of enlarging the electoral roll beyond the 10 per cent. limit.

(*f*) I am strongly opposed to the group system for the following reasons:—

(1) This system is unworkable as it would mean millions of elections in this country.

(2) This system besides being cumbersome is not likely to improve the electorate.

(3) Elections in this country are already very expensive and this system will make them still more costly.

(4) This system involves an indirect method of election which is likely to be useless because the group consisting of illiterate men is not likely to feel any responsibility.

(*g*) In view of the foregoing answer this question does not arise.

(*h*) In view of my answer to question (*f*) this question does not arise.

(*i*) & (*j*) Does not arise.

2. Franchise qualifications.

(*a*) In my opinion only those persons should have a right of vote who possess some property or who are sufficiently intelligent and independent to form an honest opinion. Such persons are always to be found in greater numbers in urban areas than in villages. The disparity is bound to exist until all our masses are educated.

(*b*) I am not in favour of the proposal as embodied in this question. But in my opinion backward communities and minorities are entitled to special protection. The question of protection in this matter will not arise if the separate electorates are maintained. It will only arise if joint electorates are introduced.

Memorandum by Khan Bahadur Maulvi MUHAMMAD FAZL-UR-RAHMAN KHAN. [*Concluded.*

(*c*) Yes. I would not include the temporary occupation of agricultural land in the definition of " property ". In my opinion the existing property qualifications are suitable.

(*d*) Yes. Vernacular Final and other equivalent qualifications may be prescribed.

3. WOMEN'S SUFFRAGE.

(*a*) I am not in favour of prescribing any special qualification for women simply with a view to increasing their number on the rolls.

(*b*) As I am opposed to group system I do not propose to answer this question.

(*c*) I would recommend that women should be co-opted as members to the extent of 2 per cent. if they have not been able to join the Legislature by means of election to this extent.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

I would use the term " backward " in place of " depressed ", which in my opinion is a dubious word. If the term depressed is strictly interpreted it is possible to argue that none except the " untouchables " fall under that category. Justice demands that every backward class irrespective of religion or caste should be protected. I would call the following communities backward:

All untouchable classes and Kisans, Kachis, Bhurjis, Kurmis, Dhobis and other similar backward classes.

In my opinion they cannot secure representatives of their own choice in the general electorate. In my opinion some seats should be reserved for them.

5. REPRESENTATION OF LABOUR.

I have already proposed that some seats be reserved for depressed or backward classes, which include labourer's community. I will therefore abstain from recommending any special representation for labour. I am in favour of giving special seats to University, Commerce, Industry, Europeans and Landholders.

LUCKNOW.

Dated 19th March, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, EXCEPT SIR ZULFIQAR ALI KHAN, AND ALL MEMBERS OF THE UNITED PROVINCES PROVINCIAL FRANCHISE COMMITTEE.

Nawabzada LIAQAT ALI KHAN, M.L.C.
Khan Bahadur Maulvi MUHAMMAD FAZL-UR-RAHMAN KHAN, M.L.C.
} **Representing the Muslim members of the U. P. Legislative Council.**

1. *The Chairman:* Mr. Liaqat Ali Khan, have you seen the memorandum put in on behalf of the Muslims?—*(Nawabzada Liaqat Ali Khan):* I have seen the memorandum put in by Khan Bahadur Fazl-ur-Rahman Khan. Unfortunately we differ in our views in respect of some replies given there. I have sent in no memorandum.

2. Do you appear in a representative capacity?—We are here as Muslim members of the Council. All the Muslim members of the Council hold the views that we do between us.

Rai Rajeshwar Bali: We sent the questionnaire to a number of Muslim Associations, but none of them replied. One reply we received was to the effect that the Muslims were not prepared to submit any memorandum unless the Muslim demand was satisfied. In such circumstances we thought the best thing to do was to ask some Muslim members of the Legislative Council to appear before us.

3. *The Chairman:* Mr. Liaqat Ali Khan, you are in favour of extending the electorate to 10 per cent. of the population?—We are in favour of extending the electorate, but I do not think that we should willy-nilly have 10 per cent. We should see who are the most suitable people to be given the franchise and then, whether it is 10 per cent. or 15 per cent., give them the vote. It does not matter even if the percentage falls below 10. We must not necessarily lower the qualifications to get 10 per cent.

4. On what principle would you extend the franchise?—On property qualification and educational qualification. We are in favour of lowering the present property qualification by about 50 per cent. That is to say, if a tenant is paying Rs. 50 as rent only when he will be qualified to come on the roll, the amount should be reduced to Rs. 25. In the same way if a zamindar is paying Rs. 25 as revenue which is the present qualification for the vote, it should be lowered to about Rs. 12-8. Persons in urban areas who are paying a rent of Rs. 3 a month are enfranchised. We are in favour of reducing it to Re. 1-8.

5. Roughly you are for halving the qualifications?—Yes.

6. You have no idea as to what electorate it will produce?—It will give about double the present electorate.

7. That is a supposition?—Yes, we have not collected any figures on the point. We would further give the vote to every adult who has passed the vernacular final examination or any other examination equivalent to it.

8. I see that you are against the group system which is one way of bringing the rest of the population into the picture?—We are; and if you will allow

19th March, 1932.] Nawabzada LIAQAT ALI KHAN & Khan Bahadur MUHAMMAD FAZL-UR-RAHMAN KHAN. [*Continued.*

him, my friend Khan Bahadur Fazl-ur-Rahman Khan will answer you on that point?

9. Assuming that you are against it, how will you propose to bring the franchise within the reach of the balance of the population which will not be affected by your reduction of the qualifications for franchise?—(*Khan Bahadur Fazl-ur-Rahman Khan*): We do not think it necessary. We have laid down definite qualifications for voters and we want that the right to vote should be given only to those persons who are capable of casting an intelligent vote.

10. Do you think that the test of intelligence is property qualification or half the existing other qualifications?—To some extent property qualification makes a man capable of casting an intelligent vote, because he has some stake in the country and also business experience. We have also recommended educational qualifications. Certainly those persons will be in a better position to exercise the franchise.

11. I am not speaking of people who might be qualified. I am thinking of the persons who may not be qualified under these stipulations?—In the first place, they have no stake in the country and secondly they are not capable of casting an intelligent vote. Therefore, no right of vote should be given to them at present.

12. You have got to explain why you are against the group system?—I have given some reasons in my memorandum.

* * * * * * *

13. As regards the franchise for women, your proposal will, in your opinion, double the general electorate. How many women electors do you think there will be under your proposal?—(*Nawabzada Liaqat Ali Khan*): In the case of the women electorate we will lower the educational qualification still further.

14. Will you also lower literacy qualifications?—Any woman who can read and write should be given the vote.

15. You have no idea as to what number of women will come on the roll in that way?—We have no figures.

16. Do you reserve a considerable proportion, say a quarter, or a third, to women?—About 25 per cent. of the electorate may be reserved for women.

17. It has often been stated about some provinces, and especially about the Muslim population, that women will not go to the poll unless special arrangements and separate polling booths are made for them. There are others, on the other hand, who say that if there are considerable number of women on the roll, the inducement of the candidate and the husbands of the voters and so on would get them to go to the poll provided there is a woman polling officer somewhere in the building though not necessarily in a separate polling booth? What is the position of the Muslim women in this province?—I think for some time to come we will have to arrange for separate polling booths.

18. You mean completely *purdah* polling booths?—Yes, *purdah* polling booths.

19. You recognise the administrative difficulty in providing separate polling booths for the whole area? No doubt it may be easy in a thickly populated area, but if you double the total number of polling booths, to find the necessary number of women polling officers would be difficult?—It is rather difficult; but I do not think it is impracticable. I think it can be worked.

20. Would you like to see about a quarter of the electorate consist of women?—Yes.

21. *Mr. Bakhale:* In your representation, Khan Bahadur, you state that as you have proposed to reserve some seats for depressed or backward classes, you do not propose to reserve seats for labour?—Yes.

19th March, 1932.] Nawabzada LIAQAT ALI KHAN & Khan Bahadur MUHAMMAD FAZL-UR-RAHMAN KHAN. [*Continued.*

22. At the same time you want special seats to be reserved for commerce, industries and landholders?—Yes.

23. Commerce comes under general constituency and yet you reserve seats for them?—Yes.

24. Why?—Taking into consideration the stake which they have in the country.

25. Do you mean to say that labourers have no stake in the country?—Not so much as the landholders.

26. Why?—Because the labourers' stake in the country is only with regard to the property they handle.

* * * * * * *

27. *Diwan Bahadur Ramaswami Mudaliyar:* You are in favour of giving representation to the landholders?—Yes.

28. I want to know what in your opinion would be fair representation of landholders' interests in a house consisting of, say, 100 members?—I will give them 10 per cent. seats.

29. Will you give them the privilege of contesting seats in the general constituencies?—Yes.

30. You do not think that there is a likelihood of a very large number of landholders coming in through the general constituencies?—They will come in like that only for five or six years.

* * * * * *

31. You say, even the existing electorate is not capable of casting an intelligent vote?—*(Khan Bahadur Fazl-ur-Rahman Khan):* That is my memorandum.

32. You are an elected member of the Legislative Council?—Yes.

33. That is your personal experience of your own electorate?—I think my electorate is more intelligent than the majority of the electorates (*laughter*).

34. What other electorate have you had experience of?—I have had experience of district board elections.

35. You admit then that the council electorate is intelligent?—Council electorate is more intelligent than the district board electorate; but I do not think it is up to the mark.

36. Perhaps, it may not be up to the mark! Is it intelligent enough for the purpose?—*(Nawabzada Liaqat Ali Khan):* Here I may point out that that is my friend's personal opinion. It is not necessarily the opinion of the majority of the Muslim members of the Council.

37. So, you think, Mr. Khan, that the electorate is intelligent enough?—Yes, if you take all the circumstances into consideration. I think when my friend was talking of this, he was comparing the electorate of India with the electorate of European countries where it is certainly more intelligent.

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38. *Mr. Chintamani:* When you stated that European electorates are more intelligent than Indian electorates, you only meant that, generally speaking, council electorates are more intelligent than the local board electorates?—*(Khan Bahadur Fazul-ur-Rahman Khan):* Yes.

39. You do not think that the electorate of Shajehanpur is more intelligent than the other electorates?—Certainly not.

40. You have suggested just now that you think that in a house consisting of 100 members, 10 seats might be allotted to landholders?—Yes.

41. At present you know that the special landholders' electorate elects only 6 members out of 123?—Yes.

19th March, 1932.] Nawabzadà LIAQAT ALI KHAN & Khan Bahadur MUHAMMAD FAZL-UR-RAHMAN KHAN. [*Continued.*

42. And, as at present, you will allow the landholders unrestricted right to participate in general electorates?—In the first place this council does not consist of 123 elected members. 23, I believe, are nominated members. So, the present council consists of only 100 elected members. In this council they have six seats, but it is not sufficient seeing that they are not well represented.

43. You think that the present representation of zamindars in the council, *viz.*, six seats out of 100, *plus* participation in the general electorate is inadequate?—Yes, inadequate.

44. You want to give increased representation to them?—Yes.

45. And, at the same time, allow them the right of participation in the general electorates as at present?—Yes.

46. You are aware that the special landholders' electorate is restricted to the talukdars of Oudh who are not more than 300 in number and to those landholders of Agra who pay Rs. 5,000 or more as land revenue?—Yes. I think more seats were allowed to the talukdars of Oudh because they were looked upon as important persons.

47. You are aware that the present landholders' special electorate is restricted to the talukdars of Oudh and that not a single zamindar, whatever may be his status, whatever the amount of land revenue he pays, has a place in that special electorate?—I am aware of it.

48. And a talukdar, although his annual income may be Rs. 100, finds a place in the special electorate?—Yes.

49. In the case of the zamindars of Agra, only those who pay Rs. 5,000 or more as land revenue are included in that special electorate?—I have lowered the qualification from Rs. 5,000 to Rs. 3,000 in the Agra province.

50. Will you lay down a qualification to enable the landholders of Oudh who are not talukdars to come into the special electorate?—I think those landholders of Oudh who are not talukdars can have a special constituency. I will give them a special constituency.

51. And you will impose the same limit of Rs. 3,000?—Yes.

52. How will you distribute the seats among them all, among these special constituencies?—I will give 5 to Agra and 5 to Oudh.

53. How will you distribute the 5 seats in Oudh between the talukdars and the non-talukdars?—I will give three seats to talukdars and 2 to those landholders who are not talukdars.

54. When you say 5 to Agra and 5 to Oudh, I hope you have taken note of the fact that there are zamindars only in 12 districts?—Yes.

* * * * * * *

55. Have you any proposal to make with regard to sub-tenants?—May I know what you mean by sub-tenants?

56. In the qualification now prescribed a tenant who pays Rs. 15 as rent to the landlord is included. All tenants are not cultivating tenants; they sublet their lands. Are the sub-tenants included in the present category?—They are not.

57. Would you make any provision to bring them in?—I would not. * * * (*Nawabzada Liaqat Ali Khan*): May I say a word about it? Provided there is no administrative difficulty I would certainly give a vote to the sub-tenant if he fulfils other qualifications.

58. *Lord Dufferin:* Do you agree that the depressed classes are weak in number, and, whether intelligent or unintelligent, require representation in the Council?—Yes. I think some sort of representation should be allowed to them.

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19th March, 1932.] Nawabzada LIAQAT ALI KHAN & Khan Bahadur MUHAMMAD FAZL-UR-RAHMAN KHAN. [*Continued.*

59. *Mr. Butler:* Why do you fix ten per cent. as the figure?—I have given the qualifications, and any number of voters that answer those qualifications should be enrolled.

60. You think they should be intelligent?—I have stated that property qualifications should be lowered and educational qualifications should be added. In that way we will have from 10 to 12 per cent.

61. How do you arrive at that figure by lowering the qualification?—In my memorandum I said 25 per cent. But now I think I should change my opinion. The property qualifications should be lowered by 50 per cent. This will materially increase the number of voters.

62. What has caused you to change that opinion?—Because if it is lowered only by 25 per cent., I think we will have only a very small increase in the present electorate.

* * * * * * * *

63. *Sir Muhammad Yakub:* Do you think that if the electorate is to be enlarged to 10 per cent., it will be administratively convenient?—It will not be convenient, but at the same time, it will not be unmanageable. Administratively it will be manageable, though somewhat inconvenient.

64. In the United Provinces you have the system of identification of each voter?—Yes. But in some districts only the illiterate voters are identified.

65. Do you think it is necessary that each and every voter should be identified?—In my opinion, he must be. Otherwise, great fraud is possible.

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66. Could you tell me if in the United Provinces any women of respectable families would use their right of vote to a large extent?—No. They will not use it for the present. But it is possible that times will change, and in future they may use their right.

67. So at present you think that by giving the right of vote to a large number of women, we will be wasting the franchise on that section of the community which will not use it mostly?—Yes, for the present.

68. *The Hon'ble Mary Pickford:* May we know if the other witness agrees with this view?—(*Nawabzada Liaqat Ali Khan*): I do not agree with that view.

69. *Sir Muhammad Yakub:* What is your opinion about having a second chamber in the United Provinces?—(*Khan Bahadur Fazl-ur-Rahman Khan*): I think we should have one.

70. If you have a second chamber in the United Provinces, will you also enlarge the electorate of the Council to the same extent as you enlarge the number of voters for the second chamber?—No, I will recommend a separate electorate for the second chamber, and, in my opinion, the qualifications prescribed for the electors of the Council of State should be the qualifications of the voters for the second chamber.

71. What is your opinion? (Addressing Nawabzada Liaqat Ali Khan)—I am in favour of giving the United Provinces a second chamber, with separate qualifications.

72. Have you also considered the question of the Upper Chamber in the Federal Legislature?—We have not considered it very seriously because it does not concern us directly. But there should be an Upper Chamber in the Federal Legislature also.

73. And what should be the electorate for that?—Election to the second chamber should be by means of the single transferable vote through the local Legislative Councils.

19th March, 1932.] Nawabzada LIAQAT ALI KHAN & Khan Bahadur MUHAMMAD FAZL-UR-RAHMAN KHAN. [*Continued.*

74. You want to make the local Legislative Council the electorate for the Federal Upper Chamber?—Yes.

75. If, as my friend Khan Bahadur Fazl-ur-Rahman Khan considers, with enlarged electorate we shall expect that the members of the Local Council will not be quite up-to-date, do you think that that electorate will be a desirable electorate for the Upper Chamber?—I do not quite agree with the views of my friend. I think he put it in a negative form. What he meant was that they (members in enlarged electorates) would be as good as the present members are. If the present members have been able to carry on the government for the last twelve years, I do not see any reason why they will not be able to carry it on in future.

76. Do you think it safer to leave the Upper Federal Chamber only to the members of the Council?—(*Both*) That is my view.

77. *Mrs. Subbarayan:* If proper facilities for recording their votes are afforded, the Muslim women will use their franchise?—For the present they will not.

78. Even if proper facilities are given?—(*Khan Bahadur Fazul-ur-Rahman Khan*): No. That is my personal view.

79. Have you had any experience of it?—There are some women on the present rolls, but my experience has always been that they never come to the booths and never give their votes.

80. Where they had special polling booths?—At present special polling booths do not exist. It is possible that if there be special arrangements they may come. But it will take sufficiently long time.

81. Then you recommend that women should be co-opted as members to the extent of 2 per cent., if they are not able to come into the Legislature by election. Don't you think that 2 per cent. is too small a number and 5 per cent. would be better for women to make their influence felt?—I think 2 per cent. is quite sufficient because, if you reserve seats for women up to 5 per cent., very few women will try to come through the general electorates. It is to be noted that all the joint electorates are open to women.

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82. *Mrs. Subbarayan:* Would you restrict co-option only to those women who were candidates in the joint election, or would you give it to any woman ordinarily qualified?—To any one.

83. *The Hon'ble Mary Pickford:* In the memorandum you say you are not in favour of any special qualification for women simply to increase their number on the roll, and in answer to the Chairman your colleague said that he was in favour of increasing the women's electorate so that it was roughly 25 per cent. of the men. Now if you had the same qualification for men and women the number of women would not be 25 per cent.; it would be 10 per cent. or less. Under those circumstances would you still object to having some other qualification say, for instance, what has been suggested, that wives of some of the men voters should be qualified to vote?—(*Nawabzada Liaqat Ali Khan*): My objection to that is, first, that polygamy is prevalent in this country and I do not think that there should be friction in a household if one wife is given the vote and the other is left out. The life of the husband would be very uncomfortable.

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84. *Sir John Kerr:* You said there would be no difficulty in getting ladies to attend the polling booths to help women voters. What sort of women are you contemplating?—School mistresses, lady doctors; ladies outside *purdah* who can read and write could be employed as returning officers.

19th March, 1932.] Nawabzada LIAQAT ALI KHAN & Khan Bahadur MUHAMMAD FAZL-UR-RAHMAN KHAN. [*Continued.*

85. In one district are there many ladies of that kind?—I don't say it will not be difficult, but it will not be impracticable.

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86. *Mrs. Srivastava:* You say that you have already proposed that some seats should be reserved for the backward classes which will bring in the labour community. All labourers are not in the category of backward classes; you will find Kshatriyas, Kayasths, Moslems, Christians, all classes?—By "depressed and backward classes" I think my friend means those who are economically and socially backward. That would meet the point you have raised.

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87. *Pandit Hirday Nath Kunzru:* Do you know that the Simon Commission has estimated that in the United Provinces Legislative Council, which consists of 100 elected members, there are 45 men of the landlord class?—There is a great difference between those landholders who are returned from a general constituency and those who are returned by zamindar constituencies. Those who are returned by general constituencies may be zamindars but they can never stick to the interests of zamindars as a class in preference to the interests of the electorate.

88. Since 1921 up to the present time has there been a single occasion when landlords elected by a general constituency have differed in any matter from a landlord elected by a special constituency?—Yes, there was a great controversy in connection with the Agra Tenancy Bill.

89. You said you wanted the members of the Upper Chamber in the Federal House to be elected through the Provincial Legislature?—Yes.

90. You know that at present it is directly elected?—Yes.

91. On what grounds would you change the present method which has been declared to be successful, when the electorate would be many times larger than the present Provincial Legislature?—First of all it is not necessary that my opinion should be the same as the opinion of the Government of India or the provincial Government; and secondly, I think the idea is to have complete provincial autonomy and only certain subjects are to be handed over. I think the members of the Council will be kept in better touch with the subjects.

92. Has the present method proved unsuccessful?—(*Nawabzada Liaqat Ali Khan*): That is my opinion.

93. Have you any criticism to bring against the results yielded by the present method of election?—I am of the opinion that if my method is adopted, there would be better results than has hitherto been the case.

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94. *Khan Bahadur Fasih-ud-Din:* You have said that you would agree to 10 per cent. increase in the franchise and you have also said that you would agree to reducing the property qualification by half. If I were to tell you that we have worked out the figures and found that if we reduced the property qualification of Rs. 50 rent to Re. 1 rent and Rs. 25 land revenue qualification to Re. 1 land revenue we would secure only 21 per cent., and supposing I told you that if we were to take your standard of reducing it by half we would increase the present percentage of 3·8 voters to only about 4 or 5, would you agree to have the property qualification reduced beyond 50 per cent.?—(*Nawabzada Liaqat Ali Khan*): I think this question has already been answered at the very start. We are not in favour of reducing the qualification beyond what we have suggested; whether the result yielded is 10 per cent. or 15 per cent. or 8 per cent. is immaterial. We want to look to the future. We want in the next reformed Councils

19th March, 1932.] Nawabzada LIAQAT ALI KHAN & Khan Bahadur MUHAMMAD FAZL-UR-RAHMAN KHAN. [*Concluded.*

members who are returned by constituencies which consist of an intelligent electorate and of people who have got some stake in the country.

95. Do you think that under the present standard of property qualification you are getting a sufficient number of members of Council who realise that sense of duty?—I think it has worked quite satisfactorily.

96. Coming to the educational qualification you say that in the case of males the educational qualification should be the certificate of final Vernacular Examination or an equivalent examination. May I know what equivalent examination you have in mind?—(*Khan Bahadur Fazl-ur-Rahman Khan*): I mean a man who has studied in an English school and passed the 8th class and also I mean persons who have passed Munshi Fazil, Maulvi Examination and the Mahamahopadhyaya examination and I also include persons who have been declared Maulvis even by non-recognised institutions.

97. You say that the educational test for women should be literacy. How will you test the literacy? What would be the criterion and what would be the agency?—(*Nawabzada Liaqat Ali Khan*): That was my suggestion. By literacy I mean any woman who is able to read and write, and as to how the test is to be carried out, I don't know how the test is carried out in the case of census. They say such and such percentage is of literate people or illiterate people and so many women are literate or illiterate. I suppose the same method can be adopted or some other method which this Committee may consider suitable may be adopted.

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98. *Major Milner:* Have you any objection to the employment of non-officials as Presiding Officers?—(*Nawabzada Liaqat Ali Khan*): Not that I know of. Even now non-officials are employed.

99. Assuming that they are competent people?—(*Khan Bahadur Fazl-ur-Rahman Khan*): On that point I do not agree with my friend. I am afraid if non-officials are employed as polling officers serious objections will arise and it is possible that in some elections invalid votes may be recorded.

100. Would you have any objection to teachers being employed?—No.

101. Post Masters?—No.

102. Honorary Magistrates?—I will object to Honorary Magistrates.

193. Honorary Assistant Collectors?—I will object.

104. Honorary Munsiffs?—Same objection.

105. On what ground?—These persons are often interested in elections.

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106. What about the members of local bodies?—I will object to them.

107. Superior Courts of Wards Officers?—They may be employed. I have no objection.

108. Government pensioners?—I will object to Government pensioners, because after retirement these people always belong to one party or the other.

109. Because they take part in elections, you think they might not act fairly as between candidate and candidate?—In some cases they may not act fairly, and probably they will not command confidence.

110. Co-operative society officers?—I will object to them. If superior co-operative society officers are employed, I will not object to them; but if secretaries and other ordinary persons are employed I will object to them.

111. Vakils?—I will object. They are always leaders of one party or the other.

112. Zamindars?—I will object to them.

Note on Existing Election Procedure, etc., in the United Provinces.

1. When two or more candidates have been duly nominated for a seat, the returning officer is required to publish the names of the candidates in the Gazette. In addition, Government have directed that the names should be published at district headquarters and in the cases of urban and rural constituencies at Sub-Divisional offices and tahsils. Instructions are then issued for the guidance of voters.

2. Ballot papers are printed by the Government Press for all constituencies with the exception of special constituencies for Taluqdars and both the Chambers of Commerce at Cawnpore. They are usually bound in books of 100 for the general constituencies and these books bear book numbers. Where there is a small number of electors in a constituency, the papers are supplied in loose sheets without numbers for easy distribution to polling stations. As far as possible complete books are supplied to polling stations; for instance, three if the number of electors is 325, and four if the number is 385.

3. Ballot papers of different colours are used for general constituencies with a view to distinguish Muhammadan from non-Muhammadan constituencies. The names of candidates are printed in alphabetical order in Urdu and Hindi for the rural and urban constituencies except for those in the Kumaun Division where for non-Muhammadan constituencies the names are printed in Hindi only, while for the Muhammadan constituencies, the names are printed in Urdu and Hindi, the former being the dominant language. Special messengers are sent by returning officers to obtain ballot papers from the Government Press. On receipt, these ballot papers are distributed to polling officers in the manner detailed above.

4. The minimum number of clerks at each polling station is two, one for checking voters by reference to the electoral roll and for filling in the signature slips and the other for assisting the presiding officer at the table where votes are recorded. When the number of voters ranges between 100 and 300, there are four clerks, two for each purpose; when it exceeds 300, there is a polling officer with four clerks for every 300 additional voters.

5. Arrangements are made with local bodies for the use of school buildings as polling stations; temporary polling booths being constructed only when indispensable.

(*a*) At each polling station there is space marked out and to this are admitted only—

(*i*) the candidate or his polling agent,

(*ii*) the clerks for checking the voters and for filling in the signature slips,

(*iii*) such other persons as the presiding officer admits for the purpose of identifying voters and for keeping order and as many voters as are allowed admittance at a time by the presiding officer.

(*b*) At the entrance leading to this space there is a constable on duty.

(*c*) A few paces beyond the entrance there is a place reserved for the candidate or his polling agent, and persons admitted for identifying. A table is placed there for the use of clerks who check voters with the Electoral rolls and prepare signature slips.

(*d*) The table where the signature slips are filled in has to be at such a distance from the table of the presiding officer that there is an uninterrupted flow of voters to the table of the presiding officer.

(*e*) Once a voter has received his signature slip care is taken to see that he does not quit the polling station without getting an opportunity to record his vote, and only through the exit provided for the purpose.

(*f*) In rural areas identification is done by the Patwari, the lambardar, the mukhia and the candidate or his duly authorized representative. It is also considered advisable to have the qanungo of the circle present at the polling station where the rush of voters is expected to be the greatest.

In urban areas identification is carried out by the bakshi, the punches, the Municipal employees, etc.

To guard against the possibility of admitting unauthorized persons, admission cards are issued to those persons who are brought in to identify voters.

(*g*) Ballot boxes are placed on a table in front of the presiding officer. A table and chair are also provided for the use of literate voters, but where no separate compartment for literate voters is provided the table is placed behind the ballot boxes, the latter serving the purpose of a screen.

(*h*) To avoid over-crowding each voter is required to quit the polling station without undue delay.

(*i*) Red and blue or copying pencils are used for marking votes, and are secured to tables so that they may not be taken away by voters.

(*j*) Returning officers are instructed to give every facility for the recording of votes by women, due regard being paid to their convenience. Separate entrance to the polling booth is provided wherever the number of women voters justifies such a step. The Local Government notifies the date and hours of polling in the Gazette and in such other manner as is thought fit. The district officer fixes the number of polling stations in his district and appoints the presiding and polling officers and makes other arrangements for the orderly conduct of the elections. No one except candidates or other duly authorized persons are admitted inside the polling booths and before the polling commences the presiding officer reads to the polling agents and such other persons as may be present S.14 of the Elections Offences and Inquiries Act 1920 and explains the substance thereof in the vernacular of the district.

6. Under regulation 13 (2) of the Provincial Regulations only one presiding officer is appointed for each polling station. If the number of electors is such that the presiding officer cannot conduct the elections unaided, he is given assistance. The additional officers, instead of being styled "Presiding Officers" are called "polling officers". Their duties as regards the recording of votes are the same as those of the presiding officer. The object of this change in name is to place definitely on one person—the presiding officer—the responsibility for keeping order at the polling station and the general supervision of the conduct of the election. The duties of presiding and polling officers are fully detailed in the enclosed printed pamphlet* issued for the guidance of such officers.

6-A. When a voter enters the polling booth he presents himself first before the signature slip clerk who gives him or her a signature slip to be signed by the voter and witnessed in his presence. If the voter is illiterate his or her thumb impression is taken on it and is attested by a witness. With this signature slip duly filled in, the voter proceeds to the polling or presiding officer as the case may be. The polling or presiding officer may and if so required by a candidate or his polling agent shall put the following questions to the voter:—

(1) Are you the person enrolled as follows (read the whole entry from the roll)?

(2) Have you already voted at the present election in this constituency and at a general election?

(3) Have you already voted at this general election for the Legislative Council (or Assembly as the case may be) in any other general constituency?

* Not printed.

Note on existing election procedure, etc.. [*Continued.*

And the elector shall not be given the ballot paper if he or she refuses to answer one of the questions, and unless he or she answers the first question in the affirmative, the second in the negative and at a general election the third also in the negative.

7. Thereupon, the polling officer must give to the voter the counterfoil of a ballot paper without investigating the truth or otherwise of the replies, and note on the corresponding foil the number of the elector shown in the roll and make a mark against the entry of the elector's name in the electoral roll to denote that the elector has received a ballot paper. This mark shall not indicate the number of the ballot paper that the elector has received.

8. If the voter is literate he shall proceed to a place screened from observation, which shall be set apart for the purpose, and mark the ballot paper and put it in the ballot box in view of the polling officer. If the voter is illiterate or by reason of infirmity is unable to vote in the prescribed manner the polling officer shall on his request make a cross on the ballot paper according to the direction of the voter and in view of any polling agents who may be present and cause the ballot paper to be put in the ballot box.

9. If a person, representing himself to be a certain person on the electoral roll, applies for a ballot paper after another person has voted as such elector, the applicant shall, after answering any questions by the polling officer, receive and mark a ballot paper as any other voter. Such ballot paper is of a different colour and is called a " tendered ballot paper " and, instead of being put in the ballot box, shall be given to the presiding officer, endorsed by him and set aside in a separate packet and shall not be counted by the returning officer. Such tendered votes are entered in the ' Tendered Votes List ' by the presiding officer and the person tendering the ballot paper has to sign the list or affix his thumb-impression, as the case may be.

10. An elector who has spoilt his ballot paper can, on returning it and satisfying the presiding officer of the inadvertance, obtain another ballot paper in place of the spoilt one and the latter is then together with its counterfoil marked as cancelled.

11. A presiding officer, polling officer, polling agent or clerk, who is on duty at a polling station where he is not entitled to record his vote is if he is certified by a returning officer to vote at the election, allowed to vote at that polling station. The name of the polling station at which he would otherwise have been entitled to vote is entered in the counterfoil of the ballot paper together with his number of the electoral roll.

12. Such ballot papers are placed in an envelope sealed and sent to the returning officer who granted the certificate and included among the other votes for the candidate designated by the elector.

13. After closing the polls at the fixed time, the presiding officer at each polling station, in the presence of any candidates or polling agents who may be present, makes up into separate parcels and seals with his own seal and the seals of such candidates or agents as may desire to affix their seal—

(1) each ballot box in use at each station unopened but with the key attached;

(2) the unused ballot papers;

(3) the tendered ballot papers;

(4) the spoilt ballot papers;

(5) the marked copy or copies of the electoral roll;

(6) the counterfoils of the ballot papers;

(7) the tendered votes list; and

(8) the electors' identification slips;

and delivers such packets to the returning officer together with a statement by him showing the number of ballot papers entrusted to him and accounting for them as above.

In 1920, instructions were issued to district officers that as a general rule the aim should be to put polling stations within a five mile radius, if possible, of every voter; and it was roughly estimated that for a district of 2,000 square miles there should be about 25 polling stations.

Thus the number of polling stations varies according to the size of the constituency, and is generally calculated on the above basis. The total number of polling stations at the time of 1930 elections was 1,352, excluding polling stations for special constituencies.

Note by Mr. J. H. DARWIN, I.C.S., on Simplification of Election System in the United Provinces.

When the Central Committee visited Lucknow they asked the Provincial Committee to consider whether the polling system can be simplified in any direction, so as to make it possible to deal with more electors and record more votes than at present in the time available. The general practice is to fix the number of polling officers and polling clerks required at one to 400 and 100 electors respectively, for the eight hours during which the polls are open. A vote per minute which the above figures indicate (allowing sometime over for dealing with disputes) is, I think, as much as a polling officer can conveniently handle, in view specially of the large proportion of illiterate voters: but in practice out of 100 electors a maximum of 75 per cent. only come to the poll. (This was the actual figure at a recent election of the District Board which was very hotly contested.) So that I think we can safely fix the number of polling officers at 1 to 500 registered electors instead of the present proportion. Polling clerks, it should be remembered, are drawn mostly from the lowest rank of teachers, many of whom are slow and not very intelligent. Still I think that if put to it they could well get through more than the present task allotted to them. Each of them might well be required to deal with 200 registered voters.

In paragraph 196 of the report on the working of the system of Government in the United Provinces it is stated that the number of votes which a single officer can record obviously depends to a large extent on the officer's ability in handling men and on the local organization and general suitability of the building in which the votes are recorded. This is so, but another and even more important consideration exists. There is by no means a steady flow of voters throughout the time the polls are open. For some two to three out of the eight hours allotted the numbers are often very small indeed, and this unnecessarily throws an extra strain on the staff during the remaining hours. We cannot alter this factor and I have kept it in mind in considering how far the rate of polling can be increased.

The employment of polling clerks for the preparation of signature slips is a feature confined more or less to this province. It is not always clear from the regulations in force in other provinces exactly what arrangements are made to help the presiding or polling officers. In the Punjab these officers appear to have each the assistance of two Patwaris, one of whom reads the number, name and description of the voter from the electoral roll, and makes a mark against it as soon as a ballot paper is issued, while the second enters the number of the elector in the counterfoil of the ballot paper and obtains his signature or thumb impression. In most other provinces the number, name and description of the elector is called out and it is at this stage presumably

Note by Mr. J. H. DARWIN. [*Continued.*

that a candidate or his agent could raise the question of identity if he cared to do so. But whether he does or not other precautions are taken. In Bengal, for instance, the ballot paper has to be marked and the electoral roll ticked off at the time: while the number of elector, the name of the constituency and the name and number of polling station have to be entered in the counterfoil. The elector has to show the presiding officer the mark on the ballot paper before he may cast his vote. In Madras, after the elector's name and number have been called out, both these particulars have to be entered in the counterfoil; and not only this, but the presiding officer has himself to initial the voting paper on the back. These initials seem to take the place of the marking of the ballot paper elsewhere. In Bombay, as in the Punjab, the signature or thumb impression is also taken on the counterfoil of the vote. It may be said then that strong precautions are taken everywhere and not only in this province, to fix the identity of a voter. The only real difference seems to be that whereas in other provinces the polling officers work together with their clerks, in the United Provinces the clerks sit separately and deal with the chief process of identification before the elector goes to the polling officer for his vote. Our procedure is to be found in rule 21 of the regulations.

"The name of every person presenting himself to vote and his number on the electoral roll shall be entered on a slip . . . and such person shall thereafter sign his name or make his thumb impression on the slip. Every signature or thumb impression so made shall be attested by any candidate or his representative or by any other person admitted to identify the voters."

The form used is as follows:—

No. on the electoral roll.	Name.	Signature or thumb impression of voter.	Signature of witness.

All these particulars except the last (signature of witness) are generally obtained in other provinces, though instead of their being recorded on signature slips they are entered in the counterfoils of ballot papers or attended to in some other way. The process that takes the place of attestation of witnesses appears to be the calling out of the elector and his description, and if that was adopted here it would certainly save some time. But I imagine it is much less effective. It does not pin down any one to an identification—a matter of much importance, later on if an election appeal is lodged—and in the hubbub that often attends the polling it would be apt to attract no attention or be carried out perfunctorily. I am inclined to think on the whole that our system which reduces the work of the polling officers to a minimum, so far as identification is concerned, is the best. It minimises congestion and meets with public approval. Its omission would be a mistake because of the new ground it would furnish to an unsuccessful candidate to contest election appeals.

There is one way, however, in which a polling officer's duties might be curtailed. If we did away with the process which requires the elector to put

a cross mark on the voting paper against the name of the candidate for whom he wants to vote, a considerable part of the polling officer's time would be saved. It has been suggested that each candidate should have a different coloured ballot box for himself, to which his name and photograph would be attached, and that each vote should be previously numbered. The numbers would be the same as those in the electoral roll, *i.e.*, each voter would have a different number. All he will then have to do is to obtain his numbered vote from the polling officer and cast it in the box of the candidate for whom he wishes to vote, without marking it in any way. If this system is adopted we should, I think, have to take extra precautions for watching the boxes and also have the votes stamped at the time of issue. But even so it will mean a great saving of the polling officer's time, specially at stations where there are several thousand voters. I do not see why he should not in these circumstances issue 800 votes a day. He could certainly deal with a thousand out of the number registered, because as I have mentioned above, 75 per cent. of these would turn up at the most. Thus in a polling station to which at present five polling officers are attached as the number of registered voters is 2,000 three only would be required—two for issuing votes and one for general arrangements watching the polling boxes and helping the illiterate voters to cast their votes into the box reserved for the candidate for whom they want to vote.

This system would not, however, answer if plural voting comes into force, because that would mean too many boxes of different colours.

Mr. DARWIN'S Notes on the Group System of Election in the United Provinces.

I attach what I think will be a practical method of applying the group system to rural areas: and I have tested this on three different dates in three large villages of the Agra District. Each of the meetings which I held to explain the method was attended by many hundreds of villagers. They displayed a great deal of interest, and in default of adult franchise, pronounced themselves generally in favour of it. They also thought it could be worked without much difficulty. Their landlords however were less responsive, chiefly I think because they were doubtful of the results it would produce.

The villagers did not take the same line in making test elections as the inhabitants of those villages which the Central Committee visited from Lucknow. When asked to elect, say, twenty representatives they invariably named first several members of the predominant class in the village; but they would then of their own accord go on to members of other classes. Members of the depressed class also found a place or two, but ordinarily very low down on the list. When it was suggested to them that such classes should have a fair share of the representation they agreed. No difficulty has been experienced over this matter in the appointment of Panchayats, which is in practice done by a system of informal election: and I do not think it would ordinarily arise in the case of group elections. We nowadays insist that Panchayats should include at least one member of the depressed classes among the five to seven representatives: and this meets with no opposition. The geographical method of composing groups will be a strong additional safeguard of their rights. In practice every village is divided into Mohallas, Thoks, Tolas, one or more of which is appropriated to the residence of members of particular classes, especially those which are locally regarded as depressed.

Villagers demurred at first to the inclusion of adult females among the indirect electors. The reason they gave was that this would lead to their women getting out of control "Hath men nahim rahengin": but when it was explained to them that the question was only one of granting them rights which they were free to exercise or not, as they liked, they showed less reluctance.

Note by Mr. J. H. DARWIN. [*Continued.*

They thought no doubt that they could still, if they wished, prevent their women from taking an active part. Their power to do so will however gradually diminish as the leaven of emancipation works. Actually one or two women were named by the villagers, on the suggestion being made to them, as suitable representatives.

DIFFICULTIES OF SPLITTING UP GROUPS INTO MALES AND FEMALES, MUSLIMS AND NON-MUSLIMS, DEPRESSED AND NON-DEPRESSED CLASSES.

FEMALES.

This will add immensely to the time taken over elections, as in practice it will be found most difficult to assemble women, especially if the size of the village necessitates several elections. Their husbands or other near relatives will probably want to be present, and women will be generally slow to grasp the purport of what they are to do. I do not advise the composition of separate groups for them, as they are not yet sufficiently advanced to stand by themselves. In order to ensure that they obtain sufficient representatives it would be best to reserve a certain proportion of places for them, which may be fixed at first arbitrarily.

MUSLIMS.

Here too I do not advocate separate groups. In many villages the number of Muslims will be few. If they are to continue having separate electorates it would be best to reserve for them, as in the case of females, a certain number of places, according to the proportion of their population. If less than 11 (including females) they would not have a place: if over ten and less than thirty-one they would get one place: if over thirty and less than fifty-one, two places and so on. This would probably work out fairly over a large number of villages. Another important point is that if females are grouped with males the number will be nearly doubled and the two between them will have a much better chance to obtain their fair proportion of places in every village.

DEPRESSED CLASSES.

The difficulty here is to define exactly what people constitute such classes. There are acute divisions of opinion about them. The term "Depressed Class" is sometimes regarded as including all people who are socially or educationally backward and classes which are so in one district may not be so in another. The same difficulty will remain if separate treatment is accorded to untouchables only, because similar doubts exist about them too, and there are different degrees of untouchability. Supposing however this difficulty is removed it would be possible to reserve places for them according to the proportion of their population, as in the case of Muhammadans and females. Division of villages into sections will by itself do much to accomplish this, as most of the depressed classes live together in separate thoks or mohallas.

RESERVATION OF PLACES.

The great advantage of this system is that it will avoid the complications that would otherwise ensue. This will be clear if we consider what the different lists are which partwaris will have to prepare.

Note by Mr. J. H. DARWIN. [*Continued.*

These will be:—

(1) By mohallas, thoks, etc., according to the strength of the primary electorate, and the number of groups required.

(2) Of those qualified for a direct vote. A register of these must be prepared simultaneously to facilitate check and to avoid the subsequent complications which will arise if it is found necessary to transfer persons who become entitled to a direct vote.

(3) Of those who are unqualified and will compose the various groups. These lists will have to be sub-divided according to the number of other distinctions that are to be made. If male and female, Muslims and Non-Muslims, depressed and non-depressed classes are to be separated six such lists will be required.

Classifications must be as few as possible if the Patwari is to prepare his list and the Primary Election Officer to get through his task in a reasonable time. Every new distinction will add to their difficulties and pave the way for objections. It will also militate against the due observance of the geographical sequence which is essential both as a basis for composing the groups and as a check on the patwaris' work, because every new elimination will decrease the number of voters left in the sections and tend to upset their formation. The total in some of them may become so small after these eliminations that it may be necessary to join some of them together again and that would mean new labour.

CONCLUSION.

The only practical divisions are:—

(1) Between direct and indirect electors and

(2) According to geographical features. The rights of the Women, Muhammadans and depressed classes will be provided for by reserving for them a certain proportion of places in each of the group electorates. The possibility of new complications will also be eliminated. As interest in the system grows some communities may ask for separate elections for themselves, and once the precedent has been established it will be difficult to refuse their demands: but that would make the system more and more difficult to work. Such a demand is moreover to be discouraged because it would tend to perpetuate caste distinctions. Proportionate representation by reservation of places would also no doubt do this, but to a much smaller extent and in a less pronounced degree: and it will only be resorted to where there is a particular demand for it.

ESTIMATED COST OF WORKING THE SYSTEM.

The cost of working the system for the Province will be nearly 4 lakhs. We must, I think, have an officer with Magisterial powers to conduct the elections, as he only would have the confidence of the people and have the requisite authority. The lowest class of Magistrate is a Tahsildar, and in order that he may have the necessary influence to ensure the smooth working of the system he should be the Tahsildar actually in charge at the time. My suggestion is that all Tahsildars be deputed for this purpose during the six months of the cold weather.

According to the census of 1921 there were 215 tahsils in the Province (excluding Indian States) with 104,347 villages, which gives an average of 485 per tahsil. Allowing five months or 150 days as the time which Tahsildars would actually spend on tour, they would have to deal with 3 or 4 villages a day, which should not be beyond their power. In most of the western

Note by Mr. J. H. DARWIN. [*Continued.*

districts the number of the villages is much below this average, but in the eastern districts especially Gorakhpur and Basti it is much above: those districts have in fact 1,322 villages per tahsil and one or two extra Tahsildars would be required for each. In view of this, in making a rough estimate of the cost, I think it would be advisable to add 25 per cent. to the number of Tahsildars required on the basis of one to each tahsil. The number will then be 215 *plus* 54 or 269 in all. Their pay might be estimated at Rs. 170 a month, *i.e.*, the pay of the lowest grade of Tahsildar to which Naib-tahsildars acting in their place would be temporarily promoted. It would then amount to $6 \times 269 \times 170$ or Rs. 2,74,380. They would each, I think, require one special peon: if other peons were needed they could be borrowed from the tahsil staff. At Rs. 10 per month the pay of these peons would come to $6 \times 269 \times 10$ or Rs. 16,140. If Tahsildars were granted travelling allowance at the rate of Rs. 1-12 per diem, which is what they are allowed at present, there would be a further charge of Rs. 70,612. Actually they would probably incur much less than this sum, as if in the neighbourhood of the tahsil they would return there at night, and I think that Rs. 50,000 should be enough to allow under this head. The cost will then be Rs. 2,74,380 *plus* Rs. 16,140 *plus* Rs. 50,000 or Rs. 3,40,520. With contingencies at 8 annas per village the total expenditure will be Rs. 3,92,693 or nearly 4 lakhs.

PRACTICAL METHODS OF APPLYING GROUP SYSTEM TO RURAL AREAS.

(1) The Primary Election Officer will first of all ascertain the total adult population, resident in the village for one year or more, not otherwise entitled to a vote. He will obtain separate totals for males and females in each community. He will then calculate on the basis of 1 in 20 how many group electors there will be for the whole of this population. If the division produces a remainder, he will allow an extra group elector for any number in excess of ten.

(2) He will then have a register made of the above persons with the following particulars:—

(*a*) Serial number of House,

(*b*) Name,

(*c*) Percentage (or in the case of a married woman, husband, in case of an unmarried woman, father, brother or nearest male relative),

(*d*) Caste,

(*e*) Age,

(*f*) Occupation.

(*g*) Name of person who can identify other than Patwari. Persons who are already qualified to vote should not be included in this list but their houses should be included, if there is no unqualified person in a house a note should be made to that effect.

(3) The entries in the register should be prepared, so far as possible, like those for preliminary census operations in regular sequence, according to the geographical situation of the houses. When a village is a large one it will be necessary to hold two or more elections in it. These villages should be divided into convenient sections according to their main geographical features. An outlying hamlet, thok Mohalla or tola would form a convenient section. In default of this a cart road through a village would be a suitable dividing line. The number of inhabitants of a section should not ordinarily exceed 400. The Primary Election Officer could not well manage the election of more than 20 persons at a time. A separate register will be required for every section and the official who prepares it will submit to the Primary Election Officer with a rough plan of the village showing the number of sections and the adult unqualified population in each. The Primary Election Officer will check the registers

and plans and make any corrections which he considers necessary. These records will then be signed by him.

(4) Exact list will then be prepared from the registers and published for objections within 15 days. All objections will be disposed of by the Primary Election Officer, who will thereupon fix a date and time by written proclamation for visiting the villages and holding the elections.

(5) On reaching the village the Primary Election Officer will have the primary electors separately assembled in each section, and ask them to select representatives from among themselves up to the quota fixed in paragraph (10). The election will be informal and will be conducted in a manner similar to the election of panches for a village panchayat. Each elector will be entitled to propose as his representative any person, male or female, who is registered in the section, to whatever community he or she belongs*. The electors will ordinarily have complete freedom of choice, but where a dispute arises as to the number of a particular community that is to be included among the representatives the Primary Election Officer will settle it by referring to the proportion which that community should get on the basis of 1 in 20.

(6) Having made a complete list of the persons selected the Primary Election Officer, should draw up a proceeding containing the results of the election and get it signed by the mukhiya of the village. He should then send it to the District Officer. There will be no appeal against the Primary Election Officers' decision, but a revision will lie within 15 days to the District Officer, (or any Officer not below the rank of a Sub-divisional Officer whom he may depute for the purpose) on the ground that a serious irregularity has occurred which entirely vitiates the election: and he may if he thinks fit necessary order a new election by a specified date.

(7) All primary elections must be completed by March 31st of each year in which Council Elections will be held, or not later than 6 months in advance of them. If a representative dies within the next three months, or becomes entitled to a direct vote, the District Officer may on application of a resident of the village or section concerned direct the electors to choose any other registered person in his place. Any dispute as to the community from which he should be taken will be decided as in (5) above.

(8) All the chosen representatives will then be included in the list of secondary electors entitled by special qualifications to become direct voters and no subsequent distinctions will be made between them. If there are separate electorates for any particular community, such representatives will be included in the electorate to which they belong.

(9) The Primary Election Officer will be a Magistrate not less in status than a Tahsildar, and he must visit every village to hold the elections according to a definite programme. The official who prepares the register will ordinarily be the patwari, and his work will be subject to check by supervisor Kanungos under the orders of the Primary Election Officer.

Memorandum submitted by Mr. PANNA LAL, I.C.S., Collector, Budaun.

I made personal experiments in one village to test the conclusions arrived at.

(1) It is quite a practicable proposition to introduce indirect adult franchise in these provinces by forming groups of 20 to 30 people as suggested, each group to select a voter who would go in the ordinary way to the polling station. The first question is whether the group should be formed by castes.

* This will be subject to any rules regarding reservation of places for Muslims, women and depressed class.

Memorandum by Mr. PANNA LAL. [*Continued.*

Besides the obvious objection that it would perpetuate and accentuate undesirable differences there are practical difficulties also. In actual experiments it was found that after forming groups of the required number from certain caste there were some left over. Also there were some castes whose number was much less than that fixed for the group. Necessarily these odd men have to be joined together to form groups. Thus we cannot avoid mixed groups. A second difficulty would be this. People of a certain caste may not be living conveniently together and it will be necessary to collect them from different parts of the village in order that they may select a voter. This will take time and add to the clerical work which it should be our object to simplify. Thirdly villagers themselves approved of the mixed groups when I formed it in their presence according to the method outlined below. Therefore I think the idea of groups by castes must be discarded.

(2) The easiest method to form these groups and the one least open to objections and malpractices is to take the houses in a village in a serial number from one side. The houses in a village have in the past been numbered for census purposes and patwaries and non-officials understand the method thoroughly. No training will be necessary. In some places the numbering of the last census is still in tact. Other places can be renumbered when wanted without any difficulty and steps can be taken to ensure that the numbering will not be allowed to get obliterated.

The houses being numbered, the patwari starts his work from house No. 1 and writes down in a register in the following form:—

GROUP No. 1. Village———, Tahsil———, District———.

Number of house.	Name of adult inmates with parentage and caste.	Remarks.
1	Durgi (male), son of Bhopal Kahar . .	
	Kokila (female), wife of Durgi Kahar . .	
	Rami (female), daughter of Durgi Kahar .	
2	Bhopal (male), son of Ujagar Murao . .	
	Khema (female), wife of Bhopal . . .	
3	Hari (male), son of Vashisht Brahmin . .	

He will write down the name of both men and women in the house. He draws a line under house No. 1 and makes similar entries for house No. 2 and so on. When he finds that about 20 or 25 or whatever number has been fixed for the group, is obtained, he closes the entries on that page. It will not be desirable to sub-divide a family living in a house. So discretion should be given to the patwari to vary the number of the group by one or two above or below in order that a family may not be sub-divided. This page will then show the electors in the first group. The patwari will next take a second page and go through the houses in serial order.

I did this work myself in a certain village and found it quite simple and easy and so far as I can see the patwari cannot go wrong or play any tricks. I have calculated that a patwari can easily prepare this register for his circle in a week without any appreciable addition to his work.

(3) *Selection of a voter.*—The next stage is the selection of a voter. After several experiments I found the most convenient method to be this. The

Memorandum by Mr. PANNA LAL. [*Continued.*

selection officer who should be the supervisor kanungo notifies beforehand to the villagers the date and time on which he would come to hold the selections and they are told that in their own interest the inmates should be present at the door of their houses. He announces his arrival by beat of drum and orders every one in the village to remain at the door of his or her house. He then stands in front of house No. 1 and calls out the inmates of the houses which form the patwari's first group on the first page. After reading out the names he asks them to select one of themselves as a voter. In an actual experiment I found the men and the women divided for the purpose of this selection in about five minutes. When the procedure is once understood they will probably divide before the kanungo arrives on the spot or in any case in less than a minute. The kanungo then enters the result of the selection in his registers in the following form, and makes the signatures or thumb impressions of the mukhia and the chaukidar as witnesses to the selection.

SELECTION OF A VOTER.———Village———, Tahsil———, District———.

Serial no. of the group.	Serial no. of houses included in the group.	Name and particulars of persons selected.	Signatures or thumb impressions of witnesses to selection.
1	1—6	Ramdhun, son of	
2	7—11	Dhani Ram, son of	
3	12—15	Chiranji, son of	

(4) I calculate that the kanungo can do two ordinary villages in the day and judging from the size of the circles in the Budaun district I think a kanungo can finish the selections in his charge in 1½ months if he is relieved of all other duty. To be on the safe side, we may allow two months for this work. He will be required to submit the register of his selection of each village, as it is finished, to the tahsildar and not to keep it with him.

(5) I personally conducted such a selection in the lanes of a village myself calling out the men and the women to divide and encountered no difficulty. The villagers and the officials and non-officials with whom I talked are of the opinion that there is no likelihood of much malpractice in this operation. Even now the returning officer writes the vote for an illiterate voter and I have never had any complaints about that. In this case the kanungo will simply divide the 20 men and women and they will see at once with their own eyes the result of the selection and the mukhia and the chaukidar will be there to put their thumb impressions as witnesses. The chances of dishonesty will be very small.

(6) I considered the suggestion whether it would be desirable to record the signatures or the thumb impressions of the persons who voted for a certain representative. This is possible. Suppose there are four candidates. The kanungo can have a register and divide it up into four columns and in each column take the thumb impression of the person who votes for a particular candidate. But this would take an enormous amount of time and so far from minimizing the chances of objections, will actually increase them. It would be just as easy for a dishonest person to say that the kanungo took down his impression in the wrong column as it would be for him to say that the result of the selection was not correctly recorded. I am strongly of the opinion that the first method namely of an actual physical division and merely recording the result should be tried in the beginning.

Memorandum by Mr. PANNA LAL. [*Continued.*

(7) Objection will be of two kinds. One to the first inmates list prepared by the patwari and second to the kanungo record of the result of the selections. Objections should be filed in the tahsil and a young officer of the naib-tahsildar's grade who is a candidate for promotion to the tahsildarship, who is well educated and who can ride, should be appointed to do this work which must be done in the village and not at headquarters or elsewhere. He must go to the village and call out the inmates and decide at once whether the objection is correct or not. The only objection which can possibly give trouble will be whether a certain person is an adult or not. Full discretion should be given to the officer to decide this on the spot without going into evidence of a doctor or horoscope, etc. A mistake this way or that way really will not matter when we are dealing with hundreds of millions. I estimate that objections can be heard by this officer in each tahsil in less than a month so that for a district like Budaun we shall have to have five naib-tahsildars for one month.

(8) The cost will work out as below for the whole district:—

	Rs.
Officiating allowance given to subordinates who act for the fourteen kanungos relieved of their work for two months, Rs. $26 \times 14 \times 2$	728
Pay of five naib-tahsildars for one month, Rs. 100×5	500
Pay of a peon to go round with the naib-tahsildar, Rs. 9×5	45
Stationery, say	77
Total .	1,350

I cannot see how the total expenditure can exceed Rs. 1,500 for this preliminary work of choosing the voters. After that there will be the usual cost of preparing and printing the electoral rolls, etc. and holding the elections. But if adult franchise is introduced the preparation of the actual voters' roll would become a much simpler task than it is now because there will be no investigation into property and other qualifications. Each man who has been selected by a group will be entitled to be entered on the voters' roll.

(9) The only difficulty I found in my experiments was from the number of sightseers. So I think the police constable of the beat will have to be asked to be present in the village when the Kanungo goes round. This should mean no extra cost.

(10) Cities even in bigger towns, the preparation of the house inmates list can present no difficulty. It will be simpler than that prepared at the census with which everybody is now well acquainted. At the same time, the actual selection will not be such a simple affair as in the villages owing to the larger number of houses, shops and congestion due to traffic. Also the patwari and the kanungo will not be able to cope with the town for which a special staff will be required. The number of such towns in a district will be very few. In Budaun, *e.g.*, I can think of only three towns (Budaun, Ujhani and Sahaswan) where special staff will be required.

Hindus and Muslims.—For reasons which need not be stated it would be advisable to have separate lists for Muslims and non-Muslims but no other castes or communities should be recognized unless we want to introduce unnecessary complication.

Women.—It would be undesirable and impracticable to have separate lists for women. The simple method is to take them with the male members of each house. In the actual experiment which I conducted, the women came out to the selection of the representatives without any difficulty. It would

be unnecessary to treat them separately from the men and compel them to join a separate group of their own and vote separately.

I have given above full reasons for preferring an oral and physical selection without taking down thumb impressions.

Size of groups.—I found on actual experiment that 20 is too small a group. It is generally made up from four or five houses and on the day of the selection we may safely take that at least a third would be absent. I should prefer a group of 25 giving the patwari latitude to go up to 30 to avoid sub-dividing a house. Size, nature and cost, I have given above.

The number of persons who possessed the upper primary certificate is infinitesimal in the rural areas but such persons as we found in possession of this certificate could still read with facility though they could not write with the same facility. In my opinion, it would be, from all points of view, preferable to lay down as qualifications the possession of the certificate without any questions as to the actual proficiency of the voter. This will avoid unnecessary objections and interminable evidence. The number of persons possessing such certificates is so small that even reducing the property qualification to Rs. 25 will not help. Therefore in my opinion they should be enfranchised quite independently of the property qualification voters.

(12) In conclusion I may add that even this indirect method of voting, if carried out in the village, will rouse a much keener interest and be of greater educational value than merely lowering the property qualifications. At present the villagers only know that the patwari has written down the names of certain number of persons who will go to vote.

Supplementary Note.

Demi-official letter, dated the 12th March 1932, from Panna Lal, Esq., I.C.S., Collector of Budaun, to the Reforms Officer, United Provinces.

In connection with the group elections, several members put questions to me relating to zamindars from different angles at different times. I fear my answers to them might read disjointed. I have, therefore, written out my views and will be grateful if you will show them to the President and if he so wishes read them out to the Committee and place on the file as a supplement to my written note.

Zamindars.—Position under group elections, reservation of seats and Second Chamber.

As my life work has lain among the zamindars, I am acquainted with their needs and feelings and position in the body politic generally. Some say that the group election will make them all powerful; others that it will abolish their influence altogether. My opinion is that it will not do either; that their position will remain much what it is, and that if two elections are held to-day—one under the present system, the other under the group system —the number of zamindars returned will be about the same. There will thus be no need to reserve any seats for them in the manner I have suggested for women and depressed classes.

The position of zamindars has however deteriorated and will further do so unless they wake up; but the reasons for that are quite different. To check that downward motion they have got to readjust their relations with their tenantry and to march with the times generally. I personally know that even now wide-awake zamindars who have cultivated their relations with the tenants find in them no undue assertiveness or responsiveness to Congress doctrines. As a Collector I know the importance of the zamindars to the Government; would that they knew it and realized its responsibilities. If the coming *swaraj* is to be real and stable, the zamindars will have

to play a prominent part in it. But they can do so only if they prepare and qualify themselves and also (and especially) their sons. They must develop qualities of modern leadership. *If they do so*, there is no fear that they will not have adequate influence in the councils. If they do not do this, nothing can stop their going under. Reserving a seat here and there may be a temporary crutch, but cannot be a permanent solution.

I am therefore opposed to reserving seats for them from the general electorate, but of course the British Indian Association and Zamindars' Association will send members. For similar reasons I do not consider that this province should have a Second Chamber. (The position of the Central Government may however be different.)

Note by Dr. S. S. NEHRU, I.C.S., giving an analysis of typical constituencies in regard to Depressed Class voters.

The figures for two districts (Allahabad and Sitapur) are as follows:—

	Allahabad.	Sitapur.
(1) Number of depressed class voters under existing qualifications for the Provincial Legislative Council	1,968	8,709
(2) Number of depressed class voters which might be expected on qualifications obtaining at present for District Board electors. (For these qualifications see enclosure I)	10,348	22,705
(3) Total number of voters for Provincial Legislative Council under present qualifications	23,758	42,357

While the figures for (1) are actuals, those for (2) are approximate having been calculated on actual figures of depressed class voters in six typical District Board constituencies in the Allahabad District and two such constituencies in the Sitapur District.

I should add that for the purpose of this enquiry, depressed classes have been taken to mean those mentioned in the enclosed list (enclosure II).

ENCLOSURE I.

Qualifications for *District* Board electors in the United Provinces.

Any Person who—

(1) owns land yielding Rs. 25 land revenue, or is a member of an undivided family whose share as recorded amounts to Rs. 25, or

(2) being a permanent tenure holder or fixed rent tenant in Agra, or underproprietor or occupancy tenant in Oudh, is liable to pay Rs. 15 as rent; or

(3) is a tenant (including sub-) holding land yielding Rs. 30 rent annually; or

(4) ordinarily residing in the rural area is assessed to income-tax or any other local tax; or

(5) is assessed to tax on circumstance and property (agricultural income is exempt from this tax, also income on which Municipal tax is imposed); or

(6) ordinarily residing in the rural area is matriculate or S. L. C. or is holder of a certificate of the Vernacular Middle or equivalent recognised examination or recognised proficiency examination in Indian Vernacular or Classical languages, or of Upper primary (IV) Standard.

ENCLOSURE II.

Beldar,	Chamar in the villages.	Musahar,	Aheria,
Kharoth,	Dhobi,	Banmanus,	Bahella,
Arakh,	Bhangi (All Groups),	Dhanghar	Khatik,
Khanghar (Excluding Khanghar Rajput).	Dharhi (Also Kungaria, Pawaria),	Dom,	Bandi,
Dusadh,	Bayar.	Domar,	Kabaria,
Dhanuk,		Balahar,	Chik.
Kori,		Bansphor,	
		Basor,	
		Dharkar,	
		Pasi,	

Vagrant Tribes.

Beria,	Habura,	Badhik,	Sahariya,
Bangali,	Kanjar,	Barwar,	Sanaurhia,
Bhantu,	Sansia,	Bawariya (Bauriya),	Kapariya.
Karwal,	Nat,		

Backward Classes.

Bhar,	Kahar,	Singaria,	Chai,
Meo,	Gond,	Charuk,	Kadhera,
Lunia,	Goriya,	Kewat,	Sorahia.
Kumhar,	Kamkar,	Mallah,	
Dabra,	Dhimar,	Bind,	

Memorandum submitted by Pandit SHEOKARAN NATH MISRA, B.A., Deputy Collector, Fyzabad.

I have prepared a small memorandum dealing mainly with the proposed group system of voting in order to enfranchise the entire adult population. As the time is very short I do not think I can deal with other points fully or exhaustively. The memorandum is however sent herewith for what it is worth.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF FRANCHISE.

(*a*) At present the number of voters to the local council constitute about 2 per cent. of the entire population. In case the franchise is to be extended to 10 per cent. of the population it can be done in three ways. Firstly by lowering the property qualification, secondly by introducing a low educational qualification, thirdly by increasing a number of women voters. As regards the property qualification I would suggest that it should be reduced from Rs. 50 to Rs. 25. So far as rural areas are concerned the present limit for tenants is Rs. 50, *i.e.*, only those tenants are qualified to vote who pay Rs. 50 or more as rent. As regards proprietors and under-proprietors the limit is only Rs. 25, *i.e.*, only those are entitled to become voters who pay proprietary or under-proprietary revenue to the extent of Rs. 25 or more. In my opinion this qualification can be safely lowered to the extent of Rs. 25 in case of tenants and

Memorandum by Pandit SHEOKARAN NATH MISRA. [*Continued.*

Rs. 15 in case of proprietors or under-proprietors. As regards the educational qualification there is at present practically none so far as the rural area is concerned. I would propose that all those who have passed the vernacular upper primary test should be qualified to vote irrespective of the property qualification. Some of these will have already become voters with the reduced property qualification but the number will not be more than 10 per cent. Figures worked out for certain number of selected villages show that the aforesaid methods of extension will increase the number of voters approximately to about 5 per cent. of the population. Now as regards including women in the franchise I shall deal with the question under the head of "Women's suffrage", but in connection with this I should like to say that out of 10 per cent. of the population to be enfranchised half should go to men and half to women. Therefore so far as men are concerned I propose only an increase from 2 per cent. to 5 per cent. It might be noted that at present the number of female voters is very small.

(*b*) The proposed electorate consisting of about 10 per cent. of population will be capable of casting as intelligent a vote as the one existing at present. My own personal experience is that the amount of rent paid by a tenant or the amount of revenue paid by a petty co-sharer makes hardly any difference in his intelligence. What I mean is that a tenant paying Rs. 15 or Rs. 20 as rent may be quite as intelligent as, if not more than, one who pays 50 or more. Women voters too in the rural areas are generally quite as intelligent as men.

(*c*) This is the chief point for consideration. Even at present with only 2 per cent. of franchise it becomes rather difficult at the time of general election to secure suitable and responsible persons to act as presiding and polling officers. When their number is increased by five times it will be proportionately more difficult to get the required number of persons to carry out the elections. We will have to go down to low-paid teachers and clerks as well as non-officials. In the course of time such class of men may develop the required sense of responsibility and impartiality but at present there will be some difficulty. The question of preparing and maintaining electoral rolls will also become proportionately more difficult. But on the whole I think it will be possible to carry the elections out and I think the extension may be tried.

(*d*) The question does not arise.

(*e*) Certainly I do not think there can be any question of enlarging the electorate beyond 10 per cent. of the population at present.

(*f*) *and* (*g*) The proposal to enfranchise all adults who are not entitled to direct vote by dividing them into groups for the election of representatives for secondary voting would be neither practicable nor advisable. It will mean that one section of the population will be entitled to direct voting whereas the remaining will be given a right of voting only by indirect representation. This will not only be impracticable but also confusing in the extreme. The cost of carrying out direct elections as well as election of representatives will be prohibitive. I am entirely opposed to this proposal.

(*h*) *and* (*i*) The only way to enfranchise the entire adult population at present is to introduce group system of voting. That will have the advantage of giving every adult a right of voting and yet keep the thing within manageable limits from the administrative point of view. In that case all existing qualifications will have to be abolished and every adult member of the population—male or female—will have a right to vote. The entire adult population will have to be divided into groups and each group will have a right to select a representative from amongst its own members. This representative will eventually have a right to vote at the election proper. By adult population I take it to mean all persons of the age of 21 or upwards. They will all have a vote without any consideration of caste or creed, or property or status, or education and training.

The village appears to be obviously a unit for forming groups. But a village will generally be found to be too large. Where possible it can be

Memorandum by Pandit SHEOKARAN NATH MISRA. [*Continued.*

divided up into hamlets or small geographical units. But even then an examination of selected number of villages shows that, leaving the hamlets aside, main villages will almost in every case have to be sub-divided into small groups. This division of a village into groups may be done on physical basis wherever possible, for instance, paths and roadways being taken as natural divisions, but even then the numbers will have to be the main consideration. The system of dividing the entire village population into blocks will have to be resorted to, something like what is done for census purposes.

The size of these groups will have to be kept within reasonable limits. In order to give the component members a fair share of representation these groups will have to be as small as possible. The larger the size of groups the more difficult it will be to manage them at the time of elections. Again the larger the groups the more the chances of important residents in the village monopolising the election of representatives. I would suggest the size of a group to be roughly about 50 adult members, males and females included. The boundaries of these groups will have to be registered, also the houses included in each group with the head of the families; but it will be unnecessary to register the names of all adults.

It will be hardly necessary to form separate groups of women; in fact it will be neither practicable nor advisable to do so. In the selected villages I had a talk with a number of village people and they generally expressed themselves against the separate grouping of women. But in order to safeguard the interests of women a certain per cent. may be reserved for them as a minimum, for instance, it may be laid down that at least 10 per cent. of the representatives must be women. But it might be mentioned that in rural areas neither women are anxious to enjoy that right nor men would like their females to be sent out as representatives. In any case separate grouping for women is not called for.

Assuming that Muslims will generally insist on separate electorates it will be automatically necessary to form their adult population into separate groups of almost the same size as those for non-Muslims. In most of the villages Muslim population is generally small. Thus it will be necessary to include the Muslim adult population of several villages into one group. In this connection the distance will also have to be taken into consideration and to avoid long distances the size of the groups will have to be made elastic.

Mixed grouping of Muslims and non-Muslims is possible but in case the number of Muslim representatives is to be reserved it will be rather difficult in practice to do so. It will have to be specified which group is to send out the Muslim representative and which the non-Muslim. If the majority of population comprising the group is to be determining factor for that purpose then for all practical purposes the arrangement will resolve itself into communal grouping.

Election of the representatives will have to be carried out on the spot by mere acclamation or show of hands. It will be hardly practicable to take down their signatures or thumb impressions. This will have to be carried out by a responsible officer in the presence of the village mukhia and the patwari and one or two witnesses.

In order to safeguard these elections of representatives from malpractices I think they will have to be carried out by an official of a rank not lower than that of a kanungo. He will have to go from village to village and do the thing at the spot recording the proceedings from day to day and reporting the results to headquarters weekly, if not daily. Kanungos will have to be placed on special duties for that work, their ordinary duties being taken up by selected patwaris. Even in that case these elections will take almost the entire cold weather preceding the general elections. On an average the kanungo will not be able to do more than six to eight of these group elections per day. If we take 1921 figures for this district we find total population of this district was 1,172,000 while the adult population was approximately 650,000 or roughly 55

per cent. Thus if we divide the adult population into groups of 50 each we will have to carry out roughly 13,000 primary elections. We have got 19 kanungos in the district and it will take them all the entire cold weather to finish the elections.

In order to supervise the work of these kanungos a special naib-tahsildar will have to be appointed in each tahsil for at least six months. This district has four tahsils and thus it will be necessary to appoint four naib-tahsildars. A deputy collector will also be necessary to be placed on special duty in charge of the whole work at headquarters for the whole district throughout the year. These arrangements would in my opinion safeguard the elections from malpractices. The preliminary divisions into groups can be carried out generally and gradually by the ordinary revenue staff under the supervision of the special officer. This preliminary work would itself occupy several months The kanungo's proceedings would of course have to be subject to appeal to his superiors.

(*j*) No special qualifications, either educational or property, should in my opinion be necessary for representatives to be elected by such groups. It is mainly with a view to avoid administrative difficulties that the group system of voting is recommended. The representatives will only be voters on behalf of certain others. I see no reason why any educational or property qualification should be insisted upon in their case.

2. FRANCHISE QUALIFICATIONS.

(*a*) So far as this district is concerned I do not think there is much disparity in the operation of the franchise qualifications in urban as compared with rural areas. Educated persons as well as persons with higher educational qualifications generally congregate in cities. The percentage of voters to the total population is therefore bound to be larger in cities than in villages. But I would not call that a disparity due to qualifications.

(*b*) I have not studied enough the question and I do not think I am competent to express opinion on that.

(*c*) Property qualification is in my opinion a suitable test of fitness for the franchise so far as the present circumstances of the country are concerned. I have already said the property qualifications will have to be lowered if the franchise is to be extended.

(*d*) Yes, it is necessary that a qualification based on education, independently of property, should be introduced. That, in my opinion, should be a certificate of having passed the upper primary vernacular test. This ought to give an impetus to education.

(*e*) Yes, the existing military service qualification should be retained and should also be extended so as to include services in the Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) I agree with the recommendation of the Statutory Commission that the wives and widows of men entitled to vote under the property qualification should also be enfranchised; but I would keep the age limit at 21 in the case of women just as in the case of men. The separate educational qualification for men should also apply to women.

(*b*) I have already dealt with this question under 1 (*h*) and (*i*). I would only like to repeat that I do not think separate groups for women should be formed. There should be mixed groups for women and men. Separate groups for women will neither be popular nor practicable.

Memorandum by Pandit SHEOKARAN NATH MISRA. [*Concluded.*

(c) So long as women are not enfranchised to a sufficient extent the only way to secure sufficient representation for them is by nominations. Five per cent. of the total number of seats in the council should be a good beginning.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

I think depressed classes should include untouchables as well as backward classes. Amongst depressed classes I would roughly include all those who are generally supposed to belong to the *Shudra* caste; Kayasthas of course being excluded.

If the group system of voting is introduced I think the depressed classes will have a sufficient voice in the election of representatives. In villages and hamlets lower caste people generally congregate together. If they are formed into small groups as already suggested they will be able to send their own representatives for the final election. These representatives are expected to be returned in quite large numbers and they should be ultimately able to elect persons to represent their own interests in the legislature. This view is supported by an examination of the system proposed to be introduced in certain selected villages of this district. I would simply like to add that in order to safeguard the interests of the depressed classes it will be very necessary to make a stipulation that each group should select its representative from amongst its own members. It would also be further necessary to keep the size of the groups fairly small with a view to see that the depressed classes residing in villages can easily be formed into their own separate groups.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

I think that special interests such as those of universities, commerce, mining and planting should have their special representation on legislatures; but I do not think any special representation is called for in the case of landholders. The experience of the past ten or twelve years makes it abundantly clear that landholders have been represented on the legislature more than necessary. Any system of rural representation, whether on property or on adult basis, is bound to give the landlords ample opportunities to secure enough of seats for themselves. It being so I do not see why any further representation should be necessary in their case. So far as universities are concerned I think the present system of election by registered graduates of a certain standing has been working satisfactorily and should be retained. As regards other special interests I am not able to say anything.

Memorandum submitted by Mr. ISHRAT HUSSAIN, Deputy Collector, Saharanpur.

Mr. Jayal and I made inquiries in six villages, namely Babail, Behat, Gandewra, Bhagwanpur, Shahpur and Rasulpur Kalan. We also conducted practical experiments.

The people are for the most part illiterate—the women more so than the men. Ten years have not sufficed to teach them the value of the vote. In Rasulpur Kalan while the villagers were assembled and names of representatives were being proposed one man objected to a name. And then we were surprised to discover that the objector was the father of the man whose name had been proposed. We questioned the father and he said that they were a busy family and the son could not be spared. Such is the feeling. It may be noted that it was a Muslim family.

Memorandum by Mr. ISHRAT HUSSAIN. [*Continued.*

The general opinion seemed to be to adhere at present to the direct vote but to extend the franchise to those who had passed the upper primary examination and also to lower the existing qualifications. We questioned men who had passed the upper primary examination. We did not meet a single instance where such men had become illiterate. The majority of the men possessed of the upper primary qualification would come under the 25-rupee property qualification and would thus have direct vote.

Our main concern was to test the feasibility of the group system. No woman appeared before us. It is obvious to us that for the purposes of grouping the women will have to be separated from the men. It seems also best at present to separate the Muslims from the non-Muslims. But no further sub-division need be made for the purpose of forming groups although in practice we found that selection of voters resolved itself into representatives being nominated from the various castes, specially amongst the Hindus. Possibly groups should be formed amongst Muslims, non-Muslims and depressed classes.

It was agreed that groups should consist of 25 adults. Discretion should be given to the officer forming groups to vary this number, in order to avoid fractions of groups being left unincluded in any group but no groups should consist of less than 20 or more than 30 persons. We are of opinion that one whole time supervisor kanungo in each tahsil should be employed on this duty. The preliminary work will take time but once the lists were completed it should not be difficult to keep them up to date. The patwaris can report changes at each visit to the tahsil, *i.e.*, deaths of members of groups or names of persons who enter a group on account of having attained majority. The groups formed by the kanungo should not be open to objection except on the ground that any group consists of less than 20 or more than 30 persons or on the ground of intermixing of Muslims, non-Muslims or depressed classes. This work should be completed in about one year. No other staff need be given to the kanungo. A chaprasi will of course be required by the kanungo.

As regards the actual selection of representatives the machinery for men and women will have to be different. For men two systems have been suggested. The first is the formation in each village of a committee consisting of the lambardar (where there are more lambardars than one then the lambardar paying the largest revenue), the patwari and the mukhia (where there are more mukhias than one then the senior mukhia). This committee will carry out the selection by counting of hands in each group. The patwari will keep the record of each group election. In case of dispute the kanungo on special duty should personally conduct the group election in question, and the election so made will be final.

The second system consists in the formation of a *panchayat* for the whole village, or rather three *panchayats*—one for each community. The *panchayat* will consist of three, five or seven members according to the size of the village and the numbers of the respective communities in it. No groups will be formed under this system but the number of representatives required will be worked out as if group system were in existence. Each *panchayat* will then be asked to hold elections for the entire village as a whole—each community being all the time separate—and to produce its quota of representatives who will then be registered as voters. A literate member of the *panchayat*—such literate member being appointed at the time the *panchayat* is formed—will keep the record of the election. The *panchayats* will have to be formed after consulting local opinion by the sub-divisional officers, tahsildars and naib-tahsildars in the course of their tour. Or further to simplify this system it may be possible to get the quota of voters without the intervention of a *panchayat*. The officer

Memorandum by Mr. ISHRAT HUSSAIN. [*Concluded.*

in this case would collect the men and ask them to select a specified number of voters to represent them. We tried this experiment in three villages and found a fair amount of unanimity amongst the villagers in the selection of the requisite number of voters.

The system of the committee consisting of the lambardar, the patwari and the mukhia appears more workable.

With regard to women they will not appear and should not be forced to appear before either the committee or the *panchayat*, which will both consist entirely of men. For women groups should be formed on the same basis as for men. A woman will have to be employed for conducting elections of group representatives. This woman will tour through the whole district or through several districts. There should be no difficulty in getting fairly educated women at moderate salaries for doing this work. We presume that for each council election fresh groups of representatives will be selected (in case of men as well as women). The employment of the woman can thus be permanent.

The above is a mere outline. Further details will have to be worked out.

Mr. J. H. DARWIN, I.C.S., Collector, Agra.
Mr. PANNA LAL, I.C.S., Collector, Budaun.
Dr. S. S. NEHRU, I.C.S., Reforms Officer to the Government of the United Provinces.
Mr. ISHRAT HUSSAIN, Deputy Collector, Saharanpur.
Mr. SHEOKARAN NATH MISRA, Deputy Collector, Fyzabad.

1. *The Chairman:* We will take the group system. I think, Mr Panna Lal's note* on the group system, which, if I may say so, is really the first detailed and studied explanation of how the thing can be worked, is very well worked out and is very clear and I think we might have a discussion on that paper. There are only two points that I want to raise. First of all, there is the problem of dealing with the objections. In other places, it has been suggested that the objections should be dealt with summarily by the officer whoever he is who takes the vote without any appeal at all. You make a provision for an appeal in which the Naib Tahsildar will go down to the spot. What do you think would be the number of such appeals?—(*Mr. Panna Lal*): There would be very few appeals under the group system as I have analysed. I think it is necessary to keep a higher officer than the one who goes round to make selections. I have proposed that the supervisor Kanungo should go round to make the elections. He gets about Rs. 60 a month and I should prefer that the objections should be heard by a higher officer like a Naib Tahsildar who might go there. He will not be a very expensive officer and that would inspire confidence.

2. You say, "the only difficulty I found in my experiments was from the number of sightseers". Suppose you have organised opposition and the people will say that this is a very important matter and we should be allowed to address the electorate. Suppose you have an organised political party and they raise objections and difficulties. Do you think that would be a formidable difficulty in the way of the operation of the system?—Theoretically 'yes'. In practice, I think, one or two constables will serve to keep order.

3. Would you allow any speeches to be made?—Not at the time of the election. I should allow speeches to be made up to the preceding day.

4. Nothing at the time of the election?—No.

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5. How long do you think it is going to take to elect the primary electors?—Six weeks. In my note I have allowed 2 months.

6. Let us assume that the main election is in December. The roll is, I think, published in July for objections and it is finally finished in October. By what period would the primary elections take place?—I said 2½ months to 3 months before the final election.

7. You mean before the roll is published?—The primary roll will not be published. The primary roll is drawn up in the village.

8. The actual election is conducted on the basis of the secondary roll. That has to be published in July?—Then 2½ months earlier.

9. Will you have any roll for the primary electors?—Yes, that is in manuscript. I have got the roll which I actually prepared in a certain village. cript. I have got the roll which I actually prepared in a certain village. is entered and so on.

10. You put the name of every adult or the name of the house only?—I put the name of every adult and the number of the house. That is the first form in my statement.

11. *Sir John Kerr:* You have carried out these experiments in Budaun?—Yes.

12. That is your district?—Yes.

13. How long have you been there?—3 years.

14. You know the village well which you selected?—I selected several villages in different parts. I selected them for their difficulty; I did not select easy villages.

15. What was your impression of the villagers? Did they understand the question?—They were fearfully interested.

16. Did they thoroughly understand?—They understood what we were about. They were excited and interested.

17. Do they understand the present system?—They don't understand the present system. When I asked who the voters were, they did not know and turned to the Patwari who said "Don't you know that such and such go to the polling booths"? They said "We don't know anything about that. If you hold elections like this we will know something".

18. Do they know what the Council does?—They have a very vague idea.

19. How did you explain?—We said, a member goes from this district to the Council and he advises the Government and so on.

20. And as a result they were genuinely interested?—They were more intrigued than anything else at the time.

21. Did you gather what the attitude of the landlords was?—I did not consult any landlords. I think the landlords will have about the same influence in these elections as they have now.

22. They will have nothing to do with the formation of groups?—Absolutely nothing. The chances of manipulation and malpractices are reduced to the minimum under this system.

23. The group will simply take one of its own number?—The elections will be held on the spot. I should not send every member to some central place. That would cause difficulty and would be expensive.

24. *Mr. Miller:* Have you read the note* of the United Provinces Liberal Association? In that note they say that the political education which such indirect system would provide would be more or less nominal. On the other hand, I understand you to say that this system would provide more

* Page 810.

education than the present one?—I have not read that note. My reason for more education is this. We decide upon the size of the electorate that we are going to enfranchise. We can do it under the property qualification also. The number of secondary electors that would go to the polling booths would be the same. Under the property qualification people who do possess that qualification do not get any education whatever, whereas under this system even those who are not elected in the secondary electorate will have taken some part in the machinery of election. They would receive some stimulus. That is my reason why they would receive more stimulus and education.

25. Nothing beyond that they have elected somebody?—A little more than a zero.

26. *Mr. Tambe:* You have under contemplation the abolition of the direct vote altogether and the substitution of the indirect vote therefor?—It is like this. We were asked by Government to make an experiment of the group system and find out the practical difficulties from the administrative point of view. My note embodies that. I have given my opinion as to how it would work administratively.

27. Are you in favour of giving the direct vote *plus* the group system?—I am opposed to that altogether. In my opinion the combination would not work administratively.

28. You are not for the hybrid system?—No.

29. You would prefer an indirect vote to the hybrid system?—Yes.

30. You prefer the direct system, of course, if that could be possible?—Yes. I am quite prepared to run either. I have given my opinion. It seems to me that adult suffrage through the indirect system would be better. I have worked that for a number of years and it has worked quite satisfactorily.

31. *Mr. Bakhale:* You have said in your oral evidence before the Provincial Franchise Committee: 'I have no objection to the two systems, direct and indirect, working together'?—I was asked if I had any objection. I am a permanent Government servant and I can't have any objection to work that system. When I was asked which system I would prefer, I said I would prefer the group system.

32. *Mr. Tambe:* I understand your position. If you are asked to do it you will do it?—Yes.

33. Would you make a group of 20 or 25?—That is a very convenient group, but I would leave the man who goes to form the groups free to add one or two names if necessary.

34. A group of 25 would give only 5 per cent.?—You could have as many as you want. If you want 22 per cent. a group of 25 will have to elect 12 persons.

35. Supposing a group is asked to elect 3 and there are 6 or 7 candidates?—It is quite easy. You have a division in the lobby here. It can be done the same way. There are three candidates. Those who are in favour of this candidate stand on this side and those in favour of the other candidate stand on the other side.

36. You should have no difficulty?—No difficulty.

37. You are not going to depute an officer of a very high rank?—They will have to be trained. We have now trained our small officers in the present system and so we will train in this system. It is a matter of time. They will be trained in this system also.

38. Who is going to decide the question of age?—I have said the Kanungo. The man who goes there will decide at once. I have said you can't go into

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the evidence of horoscope or medical men. After all, it does not matter much if one man is left out and another man is added. It won't make much difference.

39. Supposing the system of indirect election is introduced, don't you think that the people who have a direct vote and will be deprived of that will resent that?—Very much, I think.

40. *Khan Bahadur Aziz-ul-Huque:* Supposing under the group system it is decided that the Hindus and Muhammadans should be separately grouped, would you like that?—My experiments were conducted on the assumption that there would be separate groups for the Muslims and the non-Muslims.

41. If Muslims and non-Muslims are separated you would still retain your idea in favour of the group system?—My note is written on that assumption.

42. From an answer to a question from Mr. Darwin, Pandit Sheokaran Nath Misra, you seem to be of the opinion that the zamindars would be able to exercise more influence under the group system than under the direct system. Is that your opinion?—Yes.

43. How do you think that it will be so?—It will be easier for them to influence a smaller number than influence a larger number.

44. Knowing as you do the constitution of the United Provinces, supposing a zamindar wants to capture the electorate, would it be possible for him to do so under the group system?—(*Mr. Panna Lal*): I think it would be difficult for him.

45. I want to know from you whether the influence of the zamindar will be felt more under the indirect system of elections or under the direct system of elections?—(*Mr. Misra*): It will be felt more under the indirect system. (*Mr. Panna Lal*): I differ from that view.

46. Syed Ishrat Hussain's note says that women refused to come before men. His experience seems to be that the opinion in the villages generally is against the group system?—(*Mr. Ishrat Hussain*): I asked for their opinion. They did not like it.

47. Did you ask them definitely about their views on the group system?—They thought that the group system will work among the Brahmans and Kshatriyas and that it will create a sort of ill-feeling in the villages.

48. If the property qualification is reduced to Rs. 10, will any large section of the tenants be left out of the electoral roll?—(*Mr. Panna Lal*): I do not think large sections of tenants will be left out. Some sub-tenants will be left out.

49. Have sub-tenants got the vote under the present franchise qualifications?—As far as I am aware, no.

50. How is it possible to bring them in? Is any property qualification possible to suggest to bring them in?—Under the adult franchise system, anybody who has a piece of land pays rent, whether as a sub-tenant or as a farm-hand, and will have the vote. I think you will have to go down to that if you want to increase the franchise so as to include them.

51. I want a substantial number of sub-tenants in?—We have first to decide what percentage we want. Then we have to fix the qualifications.

52. Can you tell me the average holding of a sub-tenant?—I cannot give straightaway. (*Mr. Darwin*): It is about 5 acres.

53. Is it your experience that in some cases a sub-tenant pays a higher rent than a chief tenant?—(*Mr. Panna Lal*): Per acre there are some who are paying more rent than some of the chief tenants.

54. Do you not include payment of rent as a qualification? Since the qualification is payment of rent, I do not know why sub-tenants should be

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excluded?—The idea was to enfranchise a body which is more or less permanent. Sub-tenants hold land for one year's period only and in many cases they do not hold on to the land for the next year. That must have been the reason for excluding them. Anyhow rules will have to be framed if they are to be included.

55. Does their land change hands?—Yes.

56. Even if a sub-tenant relinquishes one plot of land, he will be taking up another land soon after and therefore he will continue to be sub-tenant all the same?—But it was probably thought that it would be unstable tenure.

57. If we decide that a sub-tenant who pays a certain sum as rent should be enfranchised, would not that bring in a number of people of that class on the electoral roll?—It will.

58. *Sir John Kerr:* Do the sub-tenants directly appear in the village records?—For the elections to the district boards they have already got the vote and there will be no administrative difficulty in ascertaining who they are.

59. *Major Milner:* That is only for sub-tenants of land?—Yes.

60. What about sub-tenants of houses?—In rural areas about 5 per cent. or so only are sub-tenants. It is only in urban areas that there are sub-tenants of houses. If a suitable qualification is laid down so as to include them the matter can be easily disposed of.

61. How do you propose to ascertain who the sub-tenants of houses are?—There is no difficulty about it. Anybody who occupies a house of so much rental value is a sub-tenant. That can be easily ascertained from the tenanted houses.

62. How will you register them?—That would not present any administrative difficulty. For the municipal elections their lists are prepared.

63. They have to go from house to house?—Yes, that could be done easily.

64. Speaking particularly of rural areas, what percentage of the people there, are mere wage-earners?—(*Dr. Nehru*): I should say about 12 or 15 per cent. Not more.

65. The others are not wage-earners?—80 per cent. of them are cultivators.

66. If everyone who pays Rs. 2 as rent is enfranchised, will the proportion of voters be very large?—It will be about 14 per cent. (*Mr. Darwin*): I can give the figures I collected from Agra. Roughly, one in every ten of the population of the rural areas pays a rent annually of Rs. 10 or over and one in every 12 pays about Rs. 20 or over and one in every 14 pays Rs. 25 and over.

67. What about Rs. 5 figures?—(*Mr. Panna Lal*): It is not available.

68. Would it be $\frac{1}{10}$th of the population?—I cannot say.

69. Would it be 20 per cent. of the population?—Yes. I ascertained the total population of the rural districts and worked out the number of rent-payers under each category. Landless labourers according to that come to about 14 per cent. or 15 per cent.

70. There will be more unenfranchised landless labourers than enfranchised. Is there any possibility of getting on the roll all those landless wage-earning labourers? Would that be a very big job?—(*Mr. Darwin*): It would be difficult, because some of the population is moving.

71. You can give us the figure? (*Dr. Nehru*): Yes. (*Mr. Panna Lal*): It would be a difficult problem to bring them on to the roll.

72. On the matter of the group system you have made a very comprehensive investigation?—(*Mr. Panna Lal*): It is not for me to say that.

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73. That being so, is it, in your judgment, thoroughly practicable to group them on the lines laid down by you?—Yes.

74. And workable?—Yes.

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75. Do I understand you to say that in urban areas also grouping is as easy as in the rural areas?—I conducted the same experiment in the urban areas also and I think it would be workable there too. My experiments were all conducted in the rural areas particularly.

76. *Diwan Bahadur Ramaswami Mudaliyar:* About the ideal system of grouping which my friend Major Milner was expounding, do you think there will be no difficulty in men and women coming to a common group?—There is no difficulty at all.

77. There will not be any difficulty with reference to either Muslim men or women?—When I conducted the experiments many respectable Muslim women took part in them.

78. Muslim women stood along with men?—They stood alongside the door and I stood in front of the door. The candidates were there and the ladies mentioned loudly the names of the persons for whom they wanted to vote. That is the way in which purdah women in this province do their court work.

79. You said that there will be no difficulty in conducting these elections. Supposing for any reason a village is induced to non-cooperate with the elections, how do you think your group system will work?—I do not know of any method by which you can force a voter to vote. Even if you take him to the poll, he need not vote at all.

80. The difficulty is that you cannot get a list at all, whereas if you have property qualifications you can easily have a list?—What is the good of having a list of voters if they do not go to exercise their franchise.

81. But individually they may come. Do you think that if only three or four adults come out and you get them to choose a representative, it will be a fair election?—I think that is not a likely event.

82. Do you think that in these primary elections people will be as interested as in the direct elections?—I have made enquiries and I understand that the difficulty is to keep back the people from coming.

83. Do you think that it is unlikely that objections may be raised on the ground that a certain officer never visited a place, that an election did not in fact take place and that consequently the roll has been prepared by him merely in consultation with the patwari?—Quite a conceivable objection, especially when you take into account the litigious tendency on the part of the people. But it must be remembered that there is the naib-tahsildar who would go there and find out whether the election was held or not.

84. Having conducted these group elections from the indirect elections so successfully, may I know what your difficulty is in conducting what is called the supplementary group elections?—You first have to prepare an electoral roll on the basis of property qualifications. The revenue officers have to ransack all the revenue records to make out a list of men who have certain qualifications. It takes months to prepare it. Then you hear objections, and not until that list is finally made up, can you prepare the supplementary list for the adults. In making that supplementary list, my idea was to go from house to house. That will entail a sort of double work. If you only have property qualification as the basis of franchise, it would be quite simple.

85. In your villages also there is a village accountant who collects the revenue and maintains the necessary records?—The revenues of this province

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are collected by the zamindars. They collect rent and pay revenue to the Government.

86. But the village officials will have a list of persons who pay rent?—Yes.

87. They prepare the electoral roll based on property qualification?—Yes.

88. It is the same set of people who prepare the electoral roll for the adults in the primary groups?—Yes.

89. It is really for him to drop out the names of those persons who come under the property qualification and prepare the rest of the roll?—Yes.

90. It does not seem to be extraordinarily difficult?—When you work it, the difficulty will be felt. He has to hear objections to the first roll and so on.

91. The difficulty is with regard to the primary roll. Once that has been made up, he can prepare the adult roll, the direct voters' list?—You have to read the two lists together and find out whether 'A' in the first list is not in the second list, or whether 'B' in the second list is in the first list. There will be a great deal of difficulty.

92. Apart from the question of time and trouble, is there any administrative difficulty?—I can work it; but I do not prefer it.

93. *Mr. Bakhale:* Were the villages selected for your personal experiment typical villages?—I had several villages of different composition. There were some in which high castes were also living like Thakurs and Brahmans and so on.

94. You say that the villages selected were typical villages?—I selected them for their difficulties.

95. What was the test you applied, for selecting those villages?—I applied my personal knowledge of them, and no test.

96. *Sir Sunder Singh Majithia:* Will you, Mr. Panna Lal, kindly say whether tenants and sub-tenants pay in kind or cash?—In cash now. Of course there is a fair proportion of those who still pay in kind.

97. What is the average rent per acre in your district?—Rs. 8.

98. What is the qualification for vote for a sub-tenant for the district board elections? I find only the qualifications of a tenant mentioned?—Mr. Darwin says it is the same as that of the tenants, *viz.*, Rs. 30.

99. Do you think there will be any difficulty if ladies do not give the names of their husbands or elders?—There will be no practical difficulty. They can always make themselves understood.

100. *The Hon'ble Mary Pickford:* When you carried out your experiments did you get any woman elected as secondary elector?—Not one. That is why I suggested that they should be asked to send men and women representatives in equal number.

101. Would it be administratively possible, instead of taking small groups of 20 or 30 and getting one of them returned, to have larger groups of say 50 or 75 returning three or four, of whom one or perhaps two would have to be women?—No. The number of people to be returned does not matter. To have a group of 50 would necessitate collecting together the inmates of 15 houses. It would not be as easy administratively as collecting the inmates of 4 or 5 houses.

102. According to you the roll must be small?—Yes. (*Mr. Darwin*): We have a separate scheme for dealing with this question. I have sent in a long note* on the group system from another point of view.

103. *Mrs. Subbarayan:* Mr. Panna Lal, may I know where you held this experiment, in a house or in a street?—In the lanes. I asked the men to come out and the women were standing near the out-houses.

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104. Did the women come a long way from their houses?—They just stood in front of 4 or 5 houses. The whole business occupied just 2 minutes.

105. Did you hear their replies?—I talked to them and they answered me.

106. You have stated in your memorandum that women could be accompanied by their husbands?—There I was explaining the secondary elections.

107. Later on in your note you say that the ladies stood behind their men?—It must be a misprint. It should be behind their doors.

108. When it is open voting, do you think women will vote independently or according to the instructions of their husbands?—In the beginning they will not vote independently. In course of time I expect them to vote independently.

109. *Sir Ernest Bennett:* If a wholly indirect system was substituted for the present one, what would be the feeling of the people?—In answer to Mr. Tambe, I said that it would be very much resented.

110. You admitted that the population in villages is to some extent mobile and migratory; do you still persist in believing that the small group is better than a village group?—If you are thinking of having the indirect system for grouping a whole village as one, it will be an impossible proposition.

111. Why?—You will have to engage a separate agency for the purpose. It will have to be as elaborate as for an ordinary election. You must have polling and presiding officers, identification and so on.

112. The average population of a village is only 450?—For this you will require a separate office.

113. Will it be difficult to handle them?—It will be very difficult. When you want 20 representatives for 400 persons it will be difficult indeed.

114. *Sir Muhammad Yakub:* Will it be possible to have a group of 20 adult Muslims in the eastern districts of the United Provinces?—I have served there, but I have not much experience to say whether 20 adults can be found in a village.

115. You know the population of Muslims in the eastern districts is very, very small?—If it is so, it will be difficult. I am here giving evidence from my practical experience.

116. Will you have the same qualifications for all classes or different qualifications for different classes?—What qualifications, Sir? The qualification for adult suffrage is only 18 years of age.

117. *Mr. Butler:* Depressed classes should have special consideration, because they will not have the same qualification on the property basis as others, and therefore it is very likely that we have to make special provision for depressed classes. Would it be easy to group the depressed classes together?—Taking adult franchise with the group system,—I do not know what classes you include in the term 'depressed classes'—there will be no difficulty in grouping the depressed classes because they live together. With the exception of one or two classes who may be called untouchable and whose number is very small, there will be no difficulty in their being returned. Under the property qualification also, I find in the district of which I have been in charge that some of the so-called depressed classes, chamars, are holding a considerable amount of land to the extent of 10 or 12 per cent. of the total cultivated area.

118. Supposing that owing to the impossibility of reconciling these two statements with which I have started, it is necessary to have the hybrid system to which you do not absolutely agree, do you not think it would be difficult to impose on the whole of India a group system which you regard

as administratively rather difficult to work, and would you not use the group system for a specific purpose such as the representation of classes whose property qualification would not be the equivalent of others in the community?—The same question has been put in the same form. I have not any new answer to give now. I have said it is difficult, but it can be worked.

119. From the administrative point of view, would you prefer this?—I do not know what answer is expected from me. It is difficult for me to give an answer. Is my opinion on that not quite clear?

120. I will just explain my point. You have an experiment here of the group system. I am putting it to you that it will be easier to introduce the hybrid system. If you have the hybrid system and introduce it all over India, you say it would be difficult to put it into force. Therefore would you not rather have some more experiments in the group system first from the administrative point of view, than introduce it totally in the whole of India?—Yes, I would, certainly.

121. And you will then be able to see how the combination works?—Yes.

122. And if it is successful, you may proceed with it?—Of course, we must see, and decide the question on the experiment. I have not conducted the experiment on that.

123. Has your opinion, in regard to the group system being workable, altered since you conducted your experiment?—No.

124. *Dr. Ambedkar:* Could you tell us whether, in the experiments you have conducted in the group system, any members of the depressed classes were elected by the groups?—Yes. In one quarter there were 7 or 8 houses occupied by Chamars and they elected two. In another there were four houses of Bhangis, and they elected one.

125. That was a sort of separate electorate?—Not separate electorate. In the villages it is found that different castes have their separate habitations.

126. The men elected were so elected because the constituents were depressed classes. Could you give us an example of a mixed group where there are a certain number of caste people and a certain number of depressed class people, in which a depressed class man was elected?—No. But in an Indian village it is generally found that there are, more or less, all castes. Taking a group of four or five houses, it may be found that one Bhangi is sandwiched between four Thakurs; there the Thakur is elected. Conversely, if the members of the depressed classes are a majority in any group, they will get elected.

127. I am simply trying to find out what would happen if your groups were mixed groups and were composed partly of depressed classes and partly of caste-Hindus. And according to your experience if the group was dominated by depressed classes, then a depressed class man would be elected. If the group is dominated by caste Hindu men, then a caste Hindu will be elected?—Yes, but my groups, as my note will show, are geographical. We begin at one end of the village.

128. They also happen to be communal?—There will be a little intermingling. But they will be more or less communal.

129. But assuming for the moment that you did not apply the geographical method and it also practically became a communal system, the depressed classes would not be able to get on to the secondary roll?—No. I would not make a general statement like that because the number of men forming the depressed classes will be considerable and they will certainly be able to send one or two representatives unless it so happens that it is so arranged that one depressed class man is pitted against 4 other Hindus.

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130. But on the whole it is fair to say that in a mixed group the chances of a depressed class man getting elected are poor?—I say simply that in a mixed group the majority will prevail.

131. You say that the Muslims and the Non-Muslims ought to have separate lists?—I have said that I have worked on that assumption.

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132. *Dr. Ambedkar:* I ask you this question. Administratively do you think it is feasible to have them mixed together?—I am prepared to work it if it is so ordered, as I am prepared to work the hybrid system.

133. *Lord Dufferin:* In your scheme, do you anticipate these primary elections every year, or would you have them only with the general elections? —This is in anticipation of the general election, not every year.

134. You work on the old roll?—If there was a by-election, I would work on the old roll.

135. Could you tell us what sort of people were elected by your groups? Were they old, or people with no experience?—They were generally the more respectable and stable among the elderly people, the more substantial of them.

136. Did you find, for instance, that where there was a Brahman or other high caste man the people used to elect him?—No.

137. Except when it was a majority caste?—Not invariably was a member of the majority caste elected.

138. *Mr. Chintamani:* Suppose the experiment which you conducted had to be conducted throughout the whole province at about the same time and not after great deliberation in an isolated place, do you think the results would be as satisfactory from an administrative point of view?— Possibly not. Conceivably not.

139. When there is a general election, assuming that they return more members than one and assuming further that you have to get the representatives of groups selected in time for the inclusion of their names in the general electoral roll, do you think that from the administrative point of view the arrangement would work satisfactorily enough?—Yes.

140. You said a few minutes ago that it is not possible to decide. But if you were asked to state your opinion for our guidance will you say whether you would prefer election entirely on the group system or partly direct and partly indirect election, or a wholly direct system because of the impracticability of the group system? What would be your advice?— I was rather pleased with the experiments which I conducted and I think I would favour adult franchise with the groups.

141. Would you give that advice?—But it must be understood that my advice is based upon these experiments in three or four villages which I have conducted. And I have no previous knowledge of the system.

142. That is, you are for the wholly indirect system. You give your advice from the strictly limited point of view and without regard to any other consequences. Have you considered it from the administrative point of view?—Yes.

143. Do you think that, from the administrative point of view, if you adopted a system which would result in discontent against the administration, it would be advisable?—The answer to that is obvious. Need I answer it? The anwser is that no sane practical man likes to create resentment of that kind.

144. You have said—and you conducted your experiment on that footing—that the primary election, that is to say, the selection of representatives of groups, would be done in a summary manner, the opinion being taken by a show of hands, and you would not resort to the scientific details

of election.' Suppose it was put to you that even the election of representatives of groups must be done through polling officers, ballot boxes and all that, would you still regard it as practicable?—Then I would not adopt it. It would be too troublesome.

145. You said that you would not advise rolls on caste or communal lines, but that you would go on geographical lines. Would you consider from your experience as an administrative officer, that once you introduce this system, it may very probably happen that people will begin to put pressure upon authorities to pay regard to minorities, castes or communities and to change the system so as to make it a group system on caste and communal lines?—I suppose there would be objections of that kind. But having decided on it with due deliberation, we should shut our ears to that.

146. You do not think that in this province separate polling booths for women would be necessary?—I have said that it might be necessary in some cases. But I would prefer the common booths. I think women in rural areas would go to the common booths. In some cases separate arrangements can be made.

147. In the post-script of your statement you say: "The position of zamindars has, however, deteriorated and will further do so unless they wake up, but the reasons for that are quite different". And further on you say: 'I am therefore opposed to reserving seats for them'. You also say: 'For similar reasons I do not consider that this province should have a second chamber'. Do you think that in the selection of representatives by groups, the selection is likely to be unduly influenced by the local zamindar?—Not more than at present.

148. Do you think that, other things being equal, the position of the zamindar is just the same whether there is or there is not the group system?—Yes.

149. *The Chairman:* Just one or two questions. Do you provide for any form of prior nomination?—No, Sir. The men come out, and I ask them 'Whom are you willing to elect as your mukhia?' Then he will be elected. There is no prior nomination. I want to make it as simple as possible. Otherwise it is not worth having.

150. Because it means probably that they have thought about it beforehand?—The majority would be uncontested.

151. In your oral evidence* before the Provincial Franchise Committee you say that the property qualification should go definitely.—That was in answer to a question I was asked about the hybrid system. I said I was prepared to work the two together. I said that if we have adult franchise and a proper number of representatives through the indirect system, there should be no voters on the property qualification.

152. You said that 10 or 12 per cent. was owned by the depressed classes. Will you state whether it was the percentage of the area owned by the depressed classes?—I said about one caste that is generally considered depressed, the Chamars. I do not know whether it is sufficiently depressed. But the Chamars in my district hold 10·5 per cent. of the entire cultivated area. Meos, another low caste, hold 9·5 per cent. That is, 20 per cent. of the entire cultivated area is held by these two humble castes.

153. I suppose it would be administratively possible to take one or two typical constituencies and analyse the effect of lowering the property qualification to Rs. 25 or Rs. 10 and estimate what number of depressed class voters would get on to the roll?—I think it would be worth while doing it in a few districts.

* Not printed.

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154. Would there be difficulty in selecting three or four typical districts?—No.

155. One of the questions we are considering is what portion of the depressed class people would get on the roll. That would be easy to find out?—Yes. Quite easy. I know that the members of the Provincial Franchise Committee have cross-examined Mr. Panna Lal a good deal. If you think there is any point which has not been brought out, you may put it to him now.

156. *Pandit Hirday Nath Kunzru:* You said that Chamars have 10½ per cent. of the cultivated area. What is their proportion to the total population?—12 per cent. of the population (Chamars), and Meos form 4 per cent. Meos are very good cultivators.

157. You are in favour of indirect elections if they can be held informally?—Yes.

158. Are you aware that we have received opinions that if these elections are held informally, the voters might not express their free opinions?—I am not of that opinion.

159. We have received that opinion. Would you attach any weight to it? It was the opinion of the Collector of Jhansi.—I would attach great weight to it. I would attach as much importance to his opinion as to mine.

160. Would you rather have the secret vote? Would you maintain the arrangements for keeping the vote secret, or would you go to the other extreme and have voting absolutely in the open, so that everybody may know it?—At the present moment in theory it is supposed to be secret. In practice, 99 per cent. of the voters who are literate or illiterate come and get their votes recorded by the presiding officers.

161. Do you advise some arrangements for keeping the vote secret or do you say that no secrecy can be maintained?—In the primary election or the secondary election?

162. In the primary election.—In the primary election there will be no secrecy. It is quite informal; it is done by a show of hands.

163. Is it true that the Collector of Jhansi reported that the elections cannot be quite free, and that pressure might be brought to bear on the primary electors and he therefore recommended that there ought to be some system to enable the villagers to see that they could exercise their vote freely without fear of molestation?—But what is your practical experience of rural voters, and their exercise of their right of secret voting?

164. I would have answered the question if I were a witness.—But in practice, the experience is that the secrecy of the vote does not exist.

165. You submit to the present system and allow it to be extended instead of remedying the evil?—I do not regard it as an evil.

166. *Rao Bahadur Thakur Bikram Singh:* Would you object to honorary officers being appointed as polling officers?—I have got powers of appointing them as polling officers, but I have not used them because there is a feeling against it and somewhat rightly. But it is quite possible to find presiding and polling officers for a very large franchise, without using honorary magistrates and honorary assistant collectors.

167. *The Chairman:* Do you agree that it is possible for a polling office consisting of, say, two clerks supervised by a presiding officer to poll a maximum of a thousand votes a day, if the colour box or the single box system is adopted in districts where, as at present, the majority of the population is illiterate?—(*Mr. Darwin*): My opinion is that 800 is the safer figure. At present the figure is 400. I think that 800 could be done. There is one point, that at present in addition to the polling officer we have a presiding officer who deals with any troubles that may arise and in the

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future system of elections I anticipate there will be more objection and more trouble as people get keen on the vote. And I think there should be one officer in addition to the presiding officer to supervise the election. The polling officer does the same work more or less as the presiding officer. The polling clerk is a separate man.

168. I have got the impression that the system has worked satisfactorily in other provinces with two polling clerks checking the name and identity of the individual and issuing the ballot paper under the general supervision of the presiding officer who may supervise as many as 6 or 8 such clerks. We want to know whether under that system you can poll a thousand votes a day.—I do not know whether you received the note* I prepared. I mentioned 800 as the figure. We have one difficulty in this province, and that is of getting one to identify the voter.

169. We want to know if identification is necessary and, if so, in what form?—As I have stated in my note†, 'the name of every person presenting himself to vote and his number on the electoral roll shall be entered on a slip . . . and such person shall thereafter sign his name or make his thumb impression on the slip. Every signature or thumb impression so made shall be attested by any candidate or his representative or by any other person admitted to identify the voters'. As far as I can make out, that system is not in force in any other province. Instead of that, they have what is called calling out. That is what I gather. The polling officer, as a voter comes along to him, calls out the name. Here, instead of that, we have the actual signature or thumb impression placed on the slip for his identification.

170. Your system involves an enormous amount of writing. The voter has not only got to mark the paper, he has got to sign or affix his thumb impression; and the polling clerks and presiding officer have got to do a lot of writing. My impression is that a greater part of that is quite unnecessary.

171. *Diwan Bahadur Ramaswami Mudaliyar:* In other provinces what happens is merely this. For every village there is a village officer. He is present at the polling station. A number of village officers come and are present at each polling station. When a voter comes, he is already given a slip containing his number probably by the agent of the candidate or the clerk. He presents his number slip to the polling clerk, who ticks the number on the electoral roll and passes him on to the polling officer (presiding officer) who issues the ballot paper. No question of identification normally arises unless there is an objection put forward by the agent of a candidate. In that case the village officer concerned is called in and asked to identify the person. There is no thumb impression. There is no check at all normally. Voters go to the polling booths without any sort of formal identification. It has never been found necessary at all, especially in rural constituencies where the villagers are known to one another.—I do not quite follow. Is the voter given a slip with his number on it and some sort of signature and he gives it to the polling officer?

172. No signature. The polling clerk gives a slip containing the voter's number on the electoral roll.—Then he must satisfy himself that he is the person.

173. He asks the voter's name, and if the answer is correct, he issues the slip?—We have two processes in addition. First of all we get his thumb impression and signature and then we get him identified by some one else. He is either the patwari or his agent in every case.

174. *The Chairman:* Supposing you could be satisfied that this method was adequate, that identification through a Patwari was a sufficient safe-

* Page 722.
† Page 723.

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guard, would that enable you to bring it up to 1,000?—Yes. I mean a thousand registered voters which would mean in practice 800.

175. *Major Milner:* 1,000 per two polling clerks, so that if you had 10 polling clerks you would do round about 5,000?—Yes. We would require one polling officer and two clerks for every thousand, but it might be possible to eliminate one of the two clerks.

176. *The Chairman:* You heard Mr. Panna Lal's cross-examination on the group system. I understand you have put in a memorandum.* Can you tell us in a few words in what respects, if any, you differ in material points?—I would rather like you to read through my note. It deals with the whole subject in a different way.

177. *Major Milner:* How many polling stations have you?—At the present moment we have 30.

178. You do them all in one day?—We have at present one day for Moslems and one day for non-Moslems. We work all the districts simultaneously. We have two separate days and the same hours in each day.

179. *Khan Bahadur Fasih-ud-din:* Is it not a fact that in villages the various castes are grouped together, Thakurs live separately and chamars live separately and so on?—They are not in absolute water-tight compartments.

180. Then if the combination of the group system is adopted would it not be difficult?—No, you will find the reasons for that in my note.

181. By reason of their property qualifications it will be very difficult for the Officer to carry identification of those people and to eliminate them from the groups?—No; the patwaris and the kanangos know thoroughly well who the tenants are and it will be the tenants who are paying rents that will be enfranchised.

182. Would not the presence of the patwari be a source of complaint?—We cannot do without him.

183. Would not the candidates have to undergo double worry and expense under the system of the combination of group system?—Yes, I think it will be more inconvenient to the candidate.

184. Are you aware of the fact that there are very few sub-tenants who are not also tenants?—That is so.

185. And there are a very few sub-tenants who live on their own sub-tenancy?—Yes.

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186. *Major Milner:* I understand you can raise 200 polling officers and 1,000 polling clerks per district?—Yes.

187. I gather you have a population of 1 million. Am I right in saying that on that basis you can poll administratively all the adults in all the districts in this province, males and females?—One million would mean about 400,000 or 500,000 adults.

188. If you have 1,000 clerks in each district and every two clerks working together in each district can do 1,000 voters a day, on that basis you can administratively poll all the adults in this province?—We could not find 1,000 clerks of this status to do this work. You are using the word "clerk" in the sense that we say "officer". We could muster about 250.

189. *The Chairman:* Will you send us a note on that point? Taking a unit as a polling unit with two clerks supervised by a polling officer, how many could you poll?—Half the adult population; that is about 22 per cent. of the total population.

190. *Major Milner:* When you are giving us a note dealing with that point will you please set out the officers you propose to use?

* Page 724.

Memorandum submitted by Miss S. I. VINCENT, M.A., Organizing Secretary, Oudh Women's Conference on Educational and Social Reforms, Lucknow.

As the Organizing Secretary of the Oudh Women's Conference, a branch of the All-India Women's Conference on Educational and Social Reforms, I am requested to send you the memorandum of the All-India Women's Conference.* It contains our answer to the Franchise Committee's Questionnaire. We hope that our views as expressed in our memorandum will meet with your approval.

Addendum.

In reference to your letter No. 289-R., my answer is that as a representative of the All-India Women's Conference, I stand for the "group system" suggested in our memorandum to institute adult franchise, and not for the Panchayat system as suggested by the Provincial Franchise Committee.

Memorandum submitted by Begum HABIBULLAH, Lucknow.

I am a witness before the Franchise Committee on behalf of the All-India Women's Association representing these provinces. Miss Vincent has already supplied printed copies of answers to the questionnaire. She is my colleague. I entirely agree with the views embodied in the memorandum of answers prepared by the association.

Memorandum submitted by Mrs. P. SHUKLA, Lucknow.

I agree with the memorandum issued by the All-India Women's Conference on Educational and Social Reforms.

I want adult suffrage with no reservation of seats and no test, literacy or property. This system will be easily feasible by having groups of 10 per cent. representation. The groups can be made by the provincial Governments.

Mrs. MENON,
Begum HABIBULLAH,
Miss VINCENT,
Mrs. SHUKLA.
} **Representing the All-India Women's Conference.**

1. *The Chairman:* You, ladies, represent the All-India Women's Conference, Lucknow Branch?—Yes.

2. Your view is that you want immediate adult franchise or failing that the universal indirect system?—(*Miss Vincent*): Not failing that, but because of administrative difficulties we want the group system.

3. Supposing that for the moment universal adult franchise is for administrative or other reasons out of reach, and let us suppose also, for one reason or another, that universal group system is rejected. Have you got any third alternative by which women should get in large numbers on to the roll. Supposing we have to fall back on property qualification or

* Page 86 *et seq.*, of Vol. V.
† Written memorandum at page 86 *et seq.*, of Vol. V.

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educational qualification; supposing we cannot enfranchise more than 15 per cent. Have you a third alternative?—No; we stand for adult suffrage and nothing else.

4. If that is not possible you will leave women with practically no enfranchisement at all?—No; we are not authorised to discuss anything else.

5. *The Hon'ble Mary Pickford:* May I ask which of you is a member of the Standing Committee, in this province, of the All-India Women's Conference?—I am.

6. Were you present at their meeting last month when this second memorandum with regard to the group system was issued?—Yes.

7. Can you tell me what steps were taken after that meeting to see whether the memorandum had the approval of your local branch executive?—We have held our monthly meetings; our Conference committee has met and the whole memorandum containing our views was presented, accepted and adopted, and we have also held our public meeting.

8. All this you have managed to do since the 18th of February?—Yes.

9. You have taken every possible step to see that it has the general approval of the local executive and the local branch members?—Yes.

10. I see from your memorandum that you are not in favour of any reservation of seats?—No.

11. That was on the understanding that you had either adult enfranchisement or else the group system which would give women about half the voting strength of men. Now, supposing, as the Chairman has suggested to you, that both adult enfranchisement and complete indirect group system were not administratively possible, would you still adhere to your objection to any reservation of seats?—Yes.

12. There has been an alternative put forward to co-option for reserving some seats for women in case they were not elected. This is in addition to any women who would be elected in the ordinary way. The proposal is that a certain number of seats, let us say for the sake of argument, 5 per cent., be reserved for those women candidates who having fought in a general election in the ordinary way, whether against men or women, were not successful. Those seats are to be reserved for the 5 women who secured the largest number of votes. That obliges women to fight in the ordinary general constituency and only those who are most successful would be returned to those special seats. Do you think that your executive would have any objection to that system seeing that it obliges women to contest the general electorate?—We have already considered that question and we are very optimistic, with the present speed of women's emancipation, that we shall have no difficulty in the way you have mentioned.

13. You have hopes that women will be returned. I am putting this forward in the view that in the first few elections women may not be returned; do you think it is important to have some women on the council when responsible government is first introduced?—Your question is based on supposition and my anwer is based on optimism and supposition, and with regard to that I have first hand knowledge of the ladies of our province because I have worked with them and I know they are preparing themselves to fight to get seats, and if for the few years for the present a few women are returned or if no women are returned, we will work harder to fight our way through and get into the legislatures. We have made up our minds to do so.

14. May I put this question to you? Do you think it is more important to adhere to your principle of absolute equality or to secure that in these first critical Councils when responsible government is first introduced there shall be some women on the Council?—(*Miss Vincent*): I have full faith

in my principle because I feel that it is a wholesome principle. About the importance of the women going into the Legislative Councils, I would say this. If women are kept back because of sex disqualification or literacy disqualification or property disqualification or any other disqualification, we would rather not go if we are so disqualified. We would go when we are perfectly qualified and can hold our ground. It is no use going into the legislature with a few women, 5 per cent. or 3 per cent. or 2 per cent., and be lost there any way.

15. Do you anticipate that more than 8 or 10 women will be successful at the next elections competing for the first time against men in joint electorates?—Positively.

16. You will have more than 10 or 12 women who will be willing to stand and they would be returned?—I am optimistic again.

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17. *Mrs. Subbarayan:* In your oral evidence before the Provincial Franchise Committee you, Miss Vincent, say, that the direct system was not manageable but the indirect system was. Could you tell me how the indirect system could be adopted? When are the primary elections to be held and how are they to be held?—(*Miss Vincent*): That is a question for the constitution makers, to decide when and how it will be held.

18. When you present a scheme you have to say how it would work?—This question was not raised in the questionnaire. We have not discussed the time of the election at all, neither was the question included in the questionnaire.

19. Will these elections be open or by ballot?—That depends upon the system. I was told by the Provincial Franchise Committee that the group system would be by ballot and I took their word for it.

20. What does your Standing Committee think?—I would like to know what the prevailing system is?

21. The system is direct election?—Yes, direct. But the taking of votes, is it by ballot or open? Is it not by ballot?

22. Yes, because we have direct election. We have not yet introduced the group system?—I would say this, that the open system would be very feasible for the rural areas.

23. Then you said your Committee does not approve of the hybrid system—a combination of the direct and the indirect election?—No.

24. Are there any depressed class women on your Conference?—We do not recognise this difference as such.

25. In your Declaration* you state, and in reply to Miss Pickford also you said: "even if a few or no women are returned for the present to the Legislatures by the open door of competition, we shall not attach any importance thereto—for we are certain that our cause is righteous and that in the end it will prevail". Is it a fact that the All-India Women's Conference in January 1931 passed a resolution saying that there should be adequate representation of women in the legislatures?—(*Mrs. Menon*): If they did, they have changed their opinion since then.

26. So it is possible that the All-India Women's Conference when it considers the whole question might change their opinion again?—May.

27. If they are given an opportunity of discussing the complications and the practical difficulties they might change?—(*Miss Vincent*): At Delhi on the 17th February we discussed all the possibilities and we are not likely to change our opinion.

28. That is the Standing Committee. I am talking of the Conference?—(*Mrs. Menon*): Though the Standing Committee passed the memorandum, it

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has been approved by all the constituent conferences and I am sure the Conferences are not going to change their mind so often.

29. In the same declaration you say "we know that we have a strong body of opinion which lends full support to these views besides that which is voiceless to-day behind the prison bars.....". Whom do you refer to when you say "voiceless behind the prison bars"?—People who are really voiceless. Those who are illiterate, those who do not understand these things. They do not come under the property qualification or the literacy qualification, whereas if you have adult suffrage they understand this because even in villages we find there is some kind of adult suffrage in the election of village Mukhiyas and all those things. These are the inarticulate people we refer to.

30. You refer to people "behind the prison bars"?—These are the people who are in the prison. It is quite obvious. I am sure you are aware that a large number of people are in prison to-day.

31. If they are behind the prison bars how can they take part?—They are not going to be there always.

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32. *Dr. Ambedkar:* In answer to Mrs. Subbarayan's question whether there were depressed class women or not on your Conference you said that you did not observe any discrimination. I would like to know what the facts are. Are there any depressed class women?—(*Mrs. Menon*): The fact is that the women are the most depressed of the depressed classes. There is no class more depressed than the women. For instance, in the Legislative Assembly or the Legislative Councils the so-called depressed classes have got representation whereas there are no representatives of the women at all. Therefore we have completely ignored the cause of the depressed classes. The Conference does not draw any kind of classification according to caste or creed or depressed classes.

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33. *Diwan Bahadur Ramaswami Mudaliyar:* You suggest that if adult franchise be not possible you should have the group system. That is the second hypothesis of your Association?—It is not suggested as an alternative. We want adult franchise with the group system for the time being.

34. Do you suggest mixed groups or separate groups for women?—We don't want separate groups.

35. Supposing men were not agreeable to it?—(*Mrs. Menon*): We will be sorry for them.

36. Supposing men are against the group system, would you force your views on them?—We have had a long discussion about this.

37. Have you consulted any men?—Many.

38. They are all in favour of it?—Yes.

39. Your Franchise Committee, which consists of reasonable men, is against it?—We have not got the list of names; otherwise we could have given it to you.

40. Supposing as a result of our examination of various gentlemen and men's associations we come to the conclusion that men would oppose the group system altogether and that they would prefer only direct franchise, do you still expect us to throw overboard the opinion of all those men's associations and accept your scheme?—(*Miss Vincent*): If ours is more sensible than theirs.

41. Apart from the question of sensibility you realise that it can work only with the co-operation of all the people who are concerned?—If the scheme is reasonable enough, I think the people will get converted to it.

(*Mrs. Menon*): We are not in favour of the informal group system because we feel it will be easily manipulated. We are in favour of regular formal groups.

42. Where election is conducted by ballot and by polling officers?—Yes.

43. May I know the number of branches of your association in this province?—Seven.

44. May I know if all these are in Municipal areas?—I will give you the names of places and you can judge whether they are municipal or rural. The places are Lucknow, Bara Banki, Bahraich, Gonda, Fyzabad, Hardoi and Sitapur.

45. May I take it that most of the members, if not all, come from urban areas?—Practically all come from urban areas. We have members from rural areas also, but practically all are from urban areas.

46. May I take it that the urban members, as you yourself suggest that most of them are, have little opportunity of going into the villages and ascertaining the opinion of rural people?—Yes.

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47. *Mrs. Srivastava:* You say that you are not willing to give women franchise on their husband's property qualification. I suppose you are aware that very few women have property in their own names in the province?—Yes.

48. On account of the Hindu Law?—Yes.

49. How do you suggest extending the franchise amongst women?—We want adult suffrage. We do not go by the property qualification.

50. Supposing you can't get adult franchise, surely you won't deprive them of their vote?—We have not suggested any alternative. If you don't have adult franchise, you will have nothing else.

51. Though the property belongs to their husbands, they get their maintenance from that. Only it is in their husband's name?—We want adult franchise without any qualification, property or literacy.

52. You would rather do without any voice at all than be qualified on the husband's property?—We will have a voice because we will get adult franchise.

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53. Can you tell me whether the upper class people will elect lower class people as secondary voters. Will the lower class people be elected as secondary voters?—(*Mrs. Menon*): I am not sure what the upper class will do, in these circumstances, in group voting. In voting on a large scale it is a question of majority as to who should go and who should not. If the upper classes form a minority they do not exercise the same influence amongst a majority of lower class people.

54. Do you feel that the sweeper class will have the off chance of coming in?—If there is group system they will.

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55. *Rai Rajeshwar Bali:* You said in answer to a question that you were told by the Provincial Franchise Committee that the voting under the group system would be by ballot. The idea was that if the present system was maintained the secondary voter would have the right of voting by ballot and in that case he would owe no responsibility to the primary voter?—I understood that it was for primary voters as well.

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Memorandum submitted by Mrs. J. GUPTA, B.A., Organiser of the Lucknow Women's Association and of the Music School for Purdah Ladies and a former lecturer at the Crosthwaite College, Allahabad.

1. Literacy, higher education and independent property qualifications. By the latter, I mean unmarried women, married women and widows who possess the property qualifications independent of their husbands' property.

All women over the age of 21 should be enfranchised on the basis of literacy and property qualifications. The wives and the widows of the men empowered to vote should also be enfranchised.

I am not in favour of group system and the representation of different communities.

The present property qualifications should be lowered by half, so that most of the people will have the chance of voting.

The depressed class women should be enfranchised on the basis of literacy and property qualification. This will surely lead to the encouragement of literacy amongst females of all classes.

2. I do want 10 per cent. of the seats in the Provincial Legislature to be reserved for women. In addition to it women will be free to contest men in the open and general election for other seats. I want them to be directly elected through joint electorate and not by nomination or co-option.

On account of the present conditions of Indian women, adult suffrage for women is not practicable, although adult suffrage is our goal and we all should work up for its attainment.

Primary education should be made compulsory to remove the illiteracy of women and purdah system should be abolished for improving women's health, their mental and moral welfare and culture.

Educated ladies who can take active and intelligent part in the proceedings of the legislature and can thoroughly understand its procedure, should first be eligible for nomination and then these women should be put to general election through the joint electorate system.

Some people are in favour of a direct general election, through joint electorate, for women without reservation of seats. My opinion is that if women have to contest with men in general elections, very few of them would be able to compete with men. They cannot oust men by canvassing, which means spending a large sum of money, as well as one's own time and energy, which married women who have to look after their domestic duties and their children, cannot afford to spare, nor the unmarried women or widows who have to earn their own living, can also afford to spare, for getting seats in the Councils.

For this reason, I am in favour of having ten seats, in the Provincial Council, for women. In addition to it, I want them to contest with men for other seats in the general election.

3. A joint electorate system will work more efficiently than a separate electorate system.

4. The wives and the widows of the enfranchised men should have the power of voting, apart from their own educational and independent property qualifications, for franchise.

Mrs. J. GUPTA, Representing the Lucknow Women's Association.

1. *The Chairman:* Mrs. Gupta, do you represent any association of women? —I have consulted some of the *purdah* ladies of Lucknow. I am giving my own independent views.

2. Your view is that if adult franchise is not given, wives and widows of men already enfranchised should receive the vote?—Yes.

3. You also want 10 per cent. of the seats to be reserved in the Legislative Council by a system of reservation of seats in joint electorate?—Yes.

4. Would I be right in saying that you are not so much concerned with the ultimate goal as with securing an adequate representation of women in the electorate immediately and in ensuring that in the next 10 years there should be at least some number of women in the council to look after women's interests? That is your primary concern?—Yes. But adult franchise is our goal although it is not possible to work at the present time. After a few years, when the majority of women become literate, we can have adult franchise.

5. If it is not possible to work adult franchise now, you want to secure an adequate number of women on the roll immediately so that a sufficient number of women may be elected to the Legislative Council at once?—Yes.

6. It is essential in the interests of the women of the province?—Yes.

7. *The Hon'ble Mary Pickford:* Your view is that as things stand at present in India, even though you get equality on electoral basis, women would not have equality of opportunity?—I think most of the women are illiterate at present. Only 1 per cent. are literate. They have not got the same opportunity as men. They cannot go about canvassing like men. Most married women have no chance even if they desire to do public work. So it is not possible for them even if they desire to stand for election to oust men in open elections.

8. So far as women candidates are concerned, there would be very few who would have the means to fight an election. They would have no money, and would have to depend on other people for the election expenses?—Yes, they would have to depend on their husbands for money and I am afraid the husbands would not like it.

9. I see that you are strongly against nomination or co-option?—Yes, I am strongly against nomination or co-option. I am for reservation of 10 per cent. of the seats through joint electorates on the basis of literacy and property qualifications. I want property qualifications to be lowered to half of what they are now.

10. You attach great importance to women being allowed to contest in open general elections and therefore you favour a system of reservation of seats by which women will have to fight the elections and only those who gain the largest number of votes among women candidates will be returned to the special seats?—Yes. I want women to contest the elections with men openly *in addition* to the 10 reserved seats in the Council for them.

11. You are in favour of the wives and widows of men who have the vote also to be enfranchised?—Yes.

12. *Mrs. Subbarayan:* You do not think that women will consider it humiliating to have the vote because of the property or other qualification of their husbands?—I do not think so. Most Hindu women have no property. They have no right to property and it is humiliating. If any woman has any independent property qualification she must be enfranchised.

13. A woman who does not own property would like to have the vote on her husband's property or other qualification?—Yes.

14. Have you consulted Muhammadan ladies?—Certainly. I have organised a Women's Association in Lucknow. I am working with the *purdah* ladies of Lucknow especially.

15. They all agree with your views?—Most of them agree with me, but not the members of the Women's Conference.

16. Excluding the members of the Women's Educational Conference, all agree with you?—Yes. Most of them agree with me. As I had only 7 days' time, I consulted as many of them as I could.

19th March, 1932.] Mrs. J. Gupta. [*Concluded.*

17. *The Chairman:* It has often been alleged that women would not come to the polling booths if separate polling booths are not provided for them with women presiding officers. You recognise that there must necessarily be great difficulty in arranging for this except in large centres. Supposing it is possible to have a woman in each polling booth would Muhammadan women come out and vote?—Generally Muslim women accompanied by their menfolk will come out. Muslim ladies have, learnt now to come out and give up the *purdah* system. I am sure if there is a woman in charge of a polling station, with separate entrances from those of men, they are sure to come and vote.

18. As regards identification of voters, it has been suggested that the only way to do it is to get the husband or brother or other near male relation of a lady voter to accompany her for identifying her. Do you think that it would work?—I do not think so. If the voter is a member of an association for women any member or members of such an association or institution might be requested to be present at the booth for such identification purposes.

19. An association of that kind may not be able to identify all the female voters of an electorate. Therefore a suggestion has been made that the husband or the brother of the voter might be made responsible for her identification?—Can it not be done by her neighbours also?

20. You would prefer to have a woman to identify a *purdah* woman who is a voter?—Yes. I have got a representation to make on behalf of the depressed classes. May I make that representation?

21. If it is not too long, you may do so.—I believe in the equality of men and women and I am against unouchability and caste system. A depressed class man or woman has as much right to be enfranchised as a man or woman of a higher caste. In many villages I have visited, I found low caste people to be more simple, honest and religious than people of the higher castes. In Bengal, I had seen the condition of the Namasudras with my own eyes some 15 years back. They were not allowed to touch even the walls of the houses of high caste people. If a Namasudra's shadow touched even the shadow of a high caste Brahman in the public roads, he was fined and beaten and made to suffer a great deal of tyranny from the said Brahman and his high caste friends and nobody stirred his little finger to help the poor oppressed man. I have heard that in Madras, Brahmans do not touch the shadow of a low caste person even if he is educated and wealthy. From these oppressions of the Hindu society, untouchables have to take shelter under the Arya Samaj, or Brahmo Samaj or the Christian institutions without any real conviction or belief in their new religion. Politicians and leaders of society must try their utmost to do away with this inequality amongst men and oppression of man by man. Depressed classes and labour under the proposed low qualifications, both property and literacy, will have a fair chance of representation under direct election through joint electorate and, if their women's interests are not represented fairly by reservation of seats, they may agitate afterwards and get their own representative elected or nominated or co-opted to the council.

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Memorandum submitted by the UNITED PROVINCES DHARMA RAKSHANI SABHA, Lucknow.

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I.—PROVINCIAL LEGISLATURES.

1. Extension of the Franchise.

(*a*) I am opposed to the extension of franchise by driblets. I am for the immediate introduction of adult franchise, because—

(1) nothing short of it will satisfy the people,

(2) every section of the people will have its full share, and

Memorandum by the UNITED PROVINCES DHARMA RAKSHANI SABHA, Lucknow. [*Continued.*

(3) it will lead to a better understanding among the various communities which have the strength of numbers, organizations, wealth or influence, and these forces will automatically adjust themselves

(*b*) I think so. An Indian voter is more intelligent than he is believed to be—a fact confirmed by the experience of the elections held under the Montagu-Chelmsford Reforms.

(*c*) It will be manageable if a simpler method of election is devised. With the active co-operation of patwaris and lambardars it should not be difficult and costly to prepare, maintain and revise the electoral rolls for rural areas. In urban areas the number of voters, even under adult franchise, will not be unmanageably large. With the ballot papers of the vast majority of illiterate voters openly marked secret voting is a farce and should be done away with. Identification should not be necessary unless a candidate wants it in any particular case. A simpler and speedier system of recording votes is possible. A system suggested to me in an informal meeting of my tenants, mostly illiterate, is worth considering. Signature slips should be prepared by candidates; after they are signed, attested and countersigned by one or other of the candidates (in order to make himself responsible for the act of the attesting witness) they should be presented to the polling officer. The polling officer should be supplied with as many registers as there are candidates, the paper of each register being of a different colour; in each register, spaces for making entries should be serially numbered. When a voter presents his signature slip, he should be put the usual questions and asked the name or the colour of the candidate he votes for. Where he gives the name or the colour, the polling officer should enter in the voting register concerned the voter's number on the electoral roll.

(*d*)—(*g*) Do not arise.

(*h*) Only if a simpler and speedier system of direct election be proved to be utterly impossible (which at present I am not prepared to admit), I would reluctantly agree to this proposal. I am, however, afraid this system of voting by delegates will be objectionable from more points of view than one. To give only one instance, it is possible under the group system to convert a minority into a majority and a majority into a minority.

(*i*) I fail to find any suggestion which can minimise the defects inherent in the system.

(*j*) If the group system be forced upon me I would not restrict the choice of the electorate in any way, especially as the only function of the delegate will be to record mechanically the vote of his group.

2. FRANCHISE QUALIFICATIONS.

(*a*) This will automatically be achieved.

(*c*), (*d*) & (*e*) Do not arise.

3. WOMEN'S SUFFRAGE.

Under my scheme the voting strength of women will be in proportion to their numbers. I am not in favour of any of the suggestions made in the questionnaire.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

(1) The Hindu society, in these provinces at least, knows no class as "depressed". The expression "depressed classes" is of recent origin; it was used for the *pariahs* of the Southern Presidency, who, I learn, are treated worse than animals. This English expression has lately been introduced in the official vocabulary of these provinces. The non-existence of

Memorandum by the UNITED PROVINCES DHARMA RAKSHANI SABHA, Lucknow. [*Continued.*

any such class is borne out by the facts that the language of these provinces has no word for it which may be in common use and generally understood and that the English expression too is used to designate different castes widely divergent, at different times.

The *Mahabharat* while describing the process of creation states—"Brahma created all men as Brahmans and without any distinction in the beginning" (*Mahabharat, Shanti Purva*, chapter 188).

Lord Krishna also says (in chapter 4, *Sloka* 13 of *Gita*):—

"The four divisions of caste were created for securing liberty, harmonised with order, to individuals in discharging their obligation or enjoyment of rights."

One of the most sacred hymns of the *Vedas*, the *Pursha Sukta*, which is recited daily describes the Brahmans, the Kshatriyas, the Vaishyas and the Shudras as necessary limbs of the body politic; springing out of the corresponding limb of God.

The *Shastras* do not denounce any caste, class or community of human beings as depressed. Every person belonging to any caste, however high, becomes *patit* (fallen or outcaste—not depressed) on committing the sins enumerated in chapter 22 of *Gautam Smriti;* while even Valmiki, a Bhil, Narada, a Kahar, Nabha, a Sweeper, Raidas, a Chamar, Anka Banka, the Pasi brothers, and many others, too numerous to mention, achieved eminence and are universally adored by the Hindus for their piety. Only a few decades ago, the famous Kali Kamliwala Baba, who, according to his intimate friend, the late Dr. Pathak, was a Pasi of Sultanpur district, established temples, schools, *dharamshalas*, dispensaries and free kitchens with huge subscription from pious Hindus, who held him in reverence throughout India.

From these abstract principles, when one comes down to practice one finds that a class can be depressed:—

(*a*) economically, (*b*) intellectually, (*c*) morally, or (*d*) socially.

There is no doubt that in urban areas, the divergence between the Dwijas and the Muhammadans on the one hand and the Shudras on the other, in some of these respects, is very wide; the former are certainly richer and better educated than the latter; they do not meet on equal terms. But it is not so in rural areas, where the bulk of the population resides.

All the castes have suffered equally from the economic drain the country has been subjected to; the so-called higher castes are hit harder, as they are religiously as well as socially debarred from following several lucrative callings and landlords have a decided preference for Shudra tenants. Opportunities of self-advancement have never been denied or wanting to deserving men of any caste. Sumanta, the Minister of Dasratha, was a Shudra, so was Shaktar, the Prime Minister of Mahanand, while Chandra Gupta Maurya rose to be one of the greatest Hindu emperors in history and the artillery commander of the Peshwas was a Chandal. In Tehri-Garhwal (the most orthodox Hindu State of to-day) a Dom member freely sits in the State Assembly enjoying equality with the Brahmans. In the United Provinces Council too, Chamar, Pasi and Dom M. L. C.'s elected by the Hindus in general, enjoy equal rights. These are only a few of the many well-known examples of the so-called low class people under whom highly learned Brahmans also deemed it an honour to serve.

A Brahman villager is not generally intellectually better equipped than his Shudra neighbour. They are almost equally illiterate, thanks to the utter neglect of popular education up to 1920 and its step-motherly treatment thereafter.

Memorandum by the UNITED PROVINCES DHARMA RAKSHANI SABHA, Lucknow. [*Continued.*

From the moral point of view too, no caste can be called depressed. As a matter of fact the social organization of the Shudras (which the higher castes lack) instils into them a better moral sense. Where a Brahman can with impunity be guilty of moral delinquency, social ostracism by his own *panchayat* stares a Shudra in the face.

Let us now proceed to examine if there is any class which by reason of the social disabilities it suffers from, can be called depressed.

Public roads, wells, conveyances and schools are used by all castes without any restrictions. In village festivities all castes meet on terms of equality—except in the matter of interdining. Every evening, a Brahman, a Kayastha, a Chamar and a Pasi gather round the same fire and address each other as blood relations. In village *panchayats*, established under a local Act about a decade ago, *panches* of all castes work harmoniously as colleagues; in the older, informal and officially unrecognized village councils, all castes met on terms of perfect equality. Village bhajan mandals and Ramayan sabhas count people of all castes among their members. In many temples, almost all castes have equal rights of access; but there are certain temples meant for the exclusive use of certain castes to which people of other castes are not admitted—the latter class of temples cannot be called public temples for the general Hindu public, they are caste or sect institutions to which people of other castes or sects can claim no access as a matter of right. *Tirthas*, rivers and sacred tanks are open to all Hindus irrespective of caste. Brahmans act as priests of all the castes.

In matters of food and marriage various castes and sub-castes are extremely exclusive, but this exclusiveness can certainly be no basis for franchise. That a Chamar bearer does not allow his white master to enter his *chauka* will certainly not convert the master into a member of a depressed class. Chamars of all sub-castes do not interdine and intermarry; many Chamars refuse to take food cooked by Brahmans. A very interesting story is told of a Brahman, who while he had passed his whole life with a Chamar woman, was refused admission into the Chamar caste, even after he had gone through a degrading " purification ". There is no feeling of superiority or inferiority involved in interdining and intermarriage; as no Hindu will ever eat the food cooked by a Sanyasi who holds the highest position among the Hindus, although many would eat the food cooked by a Kahar.

Untouchability, it appears from the questionnaire, is the acid test of " depression ". Untouchability exists in varying degrees in these provinces, but certainly not to that extent to which it does in Madras. Even this test is delusive and cannot be depended upon. A person, of any caste whatsoever, becomes untouchable till he purifies himself if he touches certain parts of his own body. (Manu, chapter IV, sloka 142, 144 and 148.) Every woman becomes untouchable, even to her husband, during menses. During an eclipse every Hindu becomes untouchable till he has had a bath. When a birth or death occurs in a family the family becomes untouchable for ten days. Even a Brahman is rendered untouchable after he has eased himself till he takes his bath.

The mere touch of no caste to one's person is, under ordinary circumstances, regarded as polluting, except that of the sweeper and the Maha Brahman. Nobody, however, avoids the sweeper's touch when he is playing music in a procession in his clean military uniform and on festivals like *Holi*, to embrace a sweeper is enjoined by the *Shastras*. Lord Sri Krishna himself treated and served a sweeper along with the other most honourable guests at the *Rajsooya Yagya* (coronation ceremony) of Dharmaraj Yudhistira. Between a sweeper and a Maha Brahman the latter is untouchable to a greater degree in spite of his being a Brahman. Any utensil touched by a sweeper becomes pure when heated, but one touched by a Maha Brahman is lost irreclaimably. No Maha Brahman is allowed to enter a Hindu house or

Memorandum by the UNITED PROVINCES DHARMA RAKSHANI SABHA, Lucknow. [*Concluded.*

stand on the threshold except when a death has occurred in the family and consequently the family itself is untouchable, while a sweeper is a daily welcome visitor.

Thus one finds that no definite caste can, by reason of its social disabilities, be regarded as depressed. Any classification of the Hindus into "depressed" and otherwise will be purely arbitrary, based on no definite rational principle and calculated to create schism among the Hindus and undo the work of centuries of the apostles of Hindu unity and solidarity like Chaitanya, Nanak, Ram Krishna, Ram Tirtha, Dayanand, and a host of others. There is no doubt that in the days of their decadence a false sense of superiority had arisen among the Hindus, as it has among the white bureaucrats and British colonials, etc.—a spirit which has not even spared the churches—but the rise of the *gyan* and the *bhakti* schools on the ashes of the ritualistic school has strenuously and successfully worked against it.

The sabha therefore strongly opposes the suggestions contained in Question No. 4 and trusts that if adult franchise is introduced each community will have its due share. Any attempt to split up the Hindu community will be highly resented by all the Hindus—except a few inspired self-seekers—and will be fatal to the constitution contemplated.

5. REPRESENTATION OF LABOUR.

Under my scheme labour gets its due share. Any other method will be arbitrary and unacceptable to those whose acceptance alone can make the future constitution work successfully.

5 A. REPRESENTATION OF SPECIAL INTERESTS.

I am against the retention of the representation of any special interests. All interests get their proper share under adult franchise.

Further, special and separate election prevents the growth of healthy political parties based, not on narrow communal and class interests, but on political principles. They set disruptive forces in motion in the body politic. They will be impediments in the way of a successfully self-governing India. If England wants to perpetuate her domination over a dismembered nation, it can do no better than to continue special and separate representation where it exists and introduce it where it does not. With the elimination of foreign domination, which has not been always to India's good, and the introduction of adult franchise, all interests will, in time, automatically adjust themselves.

Mr. B. N. SHARGA, Representing the United Provinces Dharma Rakshani Sabha.

1. *The Chairman:* You say in your memorandum that the depressed classes do not suffer from any disability. It runs directly counter to every bit of evidence that we received from every province so far. Will you explain it?—Let me see the relevant portion in my memorandum.

2. Then I will ask you whether it is true that the depressed classes have no access to wells?—It is not so in this province. I am a zamindar and I have moved in the villages. I have found that everybody has got access to public wells and also to most of the temples.

3. Have depressed classes access to most of the temples in this presidency? —To most, but not to all.

4. Can you give me any direct evidence on this point?—There is a temple in my village into which everybody is admitted. Then there is the Aliganj Mahabir temple in Lucknow which is open to all. Then there is the Sandohan

Devi Temple in Lucknow which is also open to all. I can cite a number of such temples. Our Association is engaged in the reform of temples and in the reclamation of Hindu Public Endowments. Recently I was a member of the Endowments Committee appointed by the United Provinces Government. We toured throughout the province. We found that there were some temples into which all Hindus were not admitted. In the majority of the temples everybody is admitted. In Vaishnav temples nobody, whatever his caste, is admitted into the Garbha Griha or *sanctum sanctorum.*

5. I see that you are in favour of adult franchise?—Yes.

6. Is it on that ground that you object to any special reservation?—Yes.

7. Supposing adult franchise is impracticable to-day?—If the present system of election with its cumbersome procedure is adopted it is certainly impracticable; but there is no reason why this cumbersome procedure should not be given up.

8. Let us assume for a moment that it is either impracticable or not regarded as being desirable in the new constitution, unless it is assumed that they have literacy qualifications, I think it is pretty clear that the proportion of the depressed classes who would obtain votes by the property or literacy qualifications would be considerably smaller than in other communities?—In the urban areas there will be much difference, but in the rural areas there will not be much difference.

9. You think they will get votes in proportion to their population under property and educational qualifications?—Well, so far as the undesirability of adult franchise is concerned, I may tell you that anything short of adult franchise will not be acceptable to the people whose consent must count.

10. I am asking this question whether, assuming that adult franchise is not introduced, and supposing property and educational qualifications are laid down so as to enfranchise 10 per cent. or 15 per cent. of the population, will the depressed classes get votes commensurate with their population?—By 'depressed classes' do you mean Chamars, Kachhis, Meos and so on?

11. Doms, Pasis, etc.?—Their number is very, very small. But so far as Chamars are concerned, they will probably get over-representation. In rural areas, the zamindars have a preference for them as tenants and, I believe, caste for caste, they are holding proportionately larger areas under cultivation.

12. Have you got any evidence on that point? It is a very important point.—For every village there is a record of rights prepared called Wajib-ul-arz; from that record you can verify my statement. This is how it happens. The zamindars have a preference for Chamars as tenants. The zamindars have to make a remission of 2 to 4 annas in the rupee in the case of higher caste tenants. They need not make such concessions in the case of lower caste tenants. Therefore they invariably have a preference for low caste people such as Chamars, as in their case they stand to gain. Zamindars find them better also in regard to the realisation of rent. A Brahman can afford to go to the civil jail for non-payment, but for fear of his caste panchayat a Chamar cannot, as he will be outcasted. I am honorary secretary of a zamindars' association and I am also a member of the Oudh Zamindars' Association. I know therefore that every zamindar has got a preference for the so-called low class tenants.

13. *Sir Sunder Singh Majithia:* Do you mean to say that Chamars can draw water from the wells of caste Hindus in your parts?—There is no restriction. They can draw water from the same well as the Brahmans.

14. When the Brahman is drawing water?—Most probably even a Bania would not dare to draw water from a well when a Brahman is actually drawing water from it. Similarly, Chamars too will stand by if a Brahman is drawing water.

15. Have you heard of a class of people who lost their lands to the Banias and who were getting 4 annas in the rupee less than other tenants of the same caste?—You mean, *ex*-proprietary tenants; they are the creation of law they belong to both high and low castes. But the caste concession in rent I have mentioned is different. That is a matter of custom. This concession is due to the fact that taking to the plough is taboo to the Brahmans, the Thakurs and the Kayasthas. They have to use hired labour for agriculture, hence this concession.

16. *Mrs. Subbarayan:* May I know the strength of your Sabha?—About 300 to 500.

17. Are there members from all castes and communities?—We do not keep a record of the castes of our members. The form of admission for membership does not contain a column for the name of the caste.

18. Have you got members belonging to the depressed classes in your Sabha?—The expression 'depressed classes' needs some explanation. Our language does not know any term by which it can be expressed in the vernacular. This expression has been defined in different ways by different people at different times. Unless, therefore, you tell me what caste you mean I cannot answer your question.

19. Are there Chamars in your Sabha?—I cannot tell you, as we keep no record of caste.

20. Are there women members in your Sabha?—No.

21. *Sir Ernest Bennett:* You said that to some temples depressed classes are not admitted?—Yes. There are some temples to which all castes are not admitted. They are not public temples for all Hindus. They are sectional temples. It is a misnomer to call them Hindu public temples.

22. *Sir Muhammad Yakub:* May I know why you suggest that secret voting should be abolished?—In practice there is no secret voting. All illiterate votes are marked openly by the polling officers.

23. Not in all the provinces?—I am talking of my province.

24. Even then it is a secret ballot, because only the presiding officer and the agents of candidates know to whom the vote goes?—And the large number of voters that stand in the polling booth.

25. Is it not a fact that the returning officer goes to a corner and marks the vote?—That was the practice about 10 years ago, when there was some scandal, at least in Lucknow, where the polling officer marked the ballot papers wrongly. Afterwards the rules were changed and now the illiterate votes are marked openly at the place where the polling officer sits in the presence of all the persons present. Now, in this city even educated persons sometimes ask the polling officer to mark their votes.

26. Do you think if secret voting is abolished, a very large number of voters would not be able to cast their votes to the person they like?—I have no apprehension in the matter. They will vote freely. In the elections, for instance, when the Congress set up candidates, it was open election and the tenants threw over their zamindars and voted openly for Congressmen and nobody wields greater influence than the zamindars.

May I know from the Chairman of the United Provinces Franchise Committee whether it is a fact that there is no secret voting now?

Rai Rajeshwar Bali: Under the rules there is, but what he refers to is a matter of practice. The illiterate voter goes to a polling officer and mentions some candidate's name. The officer then makes a mark in the presence of the agents or candidates.

27. But not before the whole body of voters?—What is done in practice is this: perhaps the rules relating to municipal elections provide that the officer should mark the vote not openly but in the presence of the candidates:

in practice the polling officer never leaves his seat. He seizes the ballot paper and marks it.

The Chairman: I think that system has got to be altered.

28. *Dr. Ambedkar:* Are you in a position to tell us whether this association is representative of all the communities including the depressed classes?—So far as membership goes, we have no caste restrictions.

29. My question is whether, as a matter of fact, on your board or your managing body there are members of the depressed classes?—I have told Mrs. Subbarayan that I do not understand the expression 'depressed classes'. It is unintelligible to men of this province.

30. Don't you live in this province?—This expression is unintelligible to the people of this province.

31. This expression has been in existence for the last 30 years.—It was introduced only in the Census of 1921, only about ten years age. And during this period of ten years this expression has been variously defined at various times by various people. Sometimes only Bhangis and Chamars have been included in this class, sometimes even Kahars.

32. Are there any persons of the depressed classes, whom you call depressed on your board?—I do not call any class depressed.

33. As a matter of fact there are some?—I do not accept that.

34. Are there any Chamars on your board?—No.

35. Are there any Doms on your board?—No.

36. I understand that this questionnaire was sent to your association and you were specially directed to answer the questions under the head 'Depressed Classes'?—I think question No. 4 relates to the depressed classes. That was answered by the board of management, and that board asked me to reply to such other questions as I liked on my personal responsibility, not on the responsibility of the Sabha.

37. Do I understand from you that in your opinion there is no such system as untouchability?—You can call Bhangis under certain circumstances as untouchables, and the Maha Brahmans too under certain circumstances.

38. I will read to you a passage from the report submitted by the United Provinces Government on the working of the system of Government. It was submitted to the Simon Commission. There was an addendum to that report, and this is what they say at the bottom of page 635: 'Social impurity attaching to the untouchable classes merely implies that a man of high caste will not take food or water from an untouchable, and if he touches or comes in close contact with such a person, he must wash before eating or even before mixing with persons of higher castes'. Do you admit that this is the state of affairs in this province?—So far as eating is concerned, a Brahman will not eat food touched by any other caste. So far as untouchability is concerned, no person touches the Bhangis, except when they are playing music in processions, and the Maha Brahmans.

39. Do you accept this as a correct statement of facts in this province? It is not a correct statement.

40. Is it your view that there is no difficulty in this province regarding taking of water from a common well by the depressed classes?—Absolutely none.

41. I am reading to you another passage from the same chapter, which says: 'Members of untouchable castes are, however, often not permitted to draw water from ordinary village wells, and they will either have to provide their own wells or place their vessels near the village well in the hope that some person of higher caste when drawing water will fill them'. Do you

accept that statement?—It might have been true 30 or 40 years ago, but it is not true now.

42. This is a document which is dated 1928.—Then it is absolutely wrong.

43. Is there a system of separate schools in this province?—Recently separate schools have been introduced, but ordinary schools are attended by depressed class boys.

44. There are certain specified schools for depresed classes?—Yes, introduced recently.

45. From 1916?—I am not certain of the date.

46. And that was because it was found difficult to secure admission for children of the depressed classes in ordinary schools?—I cannot say about 1916. But during the last ten years they have been attending schools meant for ordinary Indians. I have got a school in my village which is 15 years old, and all classes of people are reading in it. It is a district board school. I may, if your Lordship permits me, tell the Committee this. So far as these official remarks about depressed classes are concerned, the officials have at different times given different interpretations to this term. There was a time when only Bhangis and Chamars were regarded as depressed classes. But now they have introduced some other castes too in this pale. People have got very little confidence in the Government so far as this matter is concerned because they feel that they now want to substitute another *bloc* for the official *bloc* in this Council.

47. You think that the depressed classes have no national feeling at all?—Those who claim to be their spokesmen and are regarded by the Government as such, have shown none so far. They will, after all, be creatures of the Government.

48. I will read to you another passage. I find that a resolution was moved on 17th December 1925 in the United Provinces Legislative Council. The purport of that resolution was to ask the Government to remove caste distinctions on entering Government service. The Government member agreed that he was willing to remove the restrictions on castes other than the Chamars. This is from the proceedings of the United Provinces Legislative Council, page 303:

"Whatever your wishes may be in regard to the removal of restrictions in regard to pollution, you must face facts. When the Hon'ble the Home Member said that a Chamar sub-inspector going to a village would find difficulty sometimes in getting water, an honourable member opposite questioned the remark, and the honourable member for Hardoi has also questioned it in categorical terms. Let me give you two examples which have come to my notice in my official capacity in the last two or three years. In several districts in the Meerut Division it is a fact that no man of low caste can use the village well and there are no wells provided for them. If you ride through one of these villages you will see round the well a number of earthen pots which Chamars and other low castes have placed there in the hope that some man of higher caste drawing his own supply would put in a little water for the low caste men. Another example occurred at a meeting of the advisory committee of the Oudh and Rohilkhand Railway here. Members of this Council had complained that there was not sufficient provision at railway stations for the supply of water to travellers. The railway authorities devised a cistern which would run on wheels and could quickly be taken along the platform so as to give passengers water very fast. The design provided four taps along each side and two at the end, so that ten passengers could bring their lotas and get water simultaneously. A member of this Council at once objected to the taps on the ground that low caste men might touch them and thereby pollute them. I quote these examples not by way of condemnation, but simply to illustrate my argument that we cannot in certain cases get away from facts of caste prejudices."

Then there is another passage. It is this:

"The position of Government thus is, that we have one single prohibition. Do honourable members wish that that should be removed. We have some restrictions—I have explained the reason for those—and we have mentioned of certain castes regarding whom we give advice which is based on past experience. And I can also give honourable members another example of experience which has happened in these provinces. In one large office at Allahabad, years ago, the head of the office appointed a number of low caste men deliberately. Those clerks rose in position, and it was found by his successors that when appointed to the posts of superintendents they were not able to keep order."

What I want to put to you is this. In the face of this, do you still maintain that there is no untouchability in this province?—It is not impossible to find certain persons who are ultra orthodox, but it is not the general condition of the province.

49. You say that two Chamars have been returned to the Council. I think you refer to the elections of 1930. Is it so?—And one or two by-elections before that. Mr. Ramdayal, a Chamar, was elected in the by-election before that.

50. But in 1930 these men were elected by the Congress?—The Congress was not taking part in the elections.

51. It was taking part. It was a part of its programme and it wanted to bring the Council into ridicule.—I am telling you from my personal knowledge about two persons who were elected in the elections. In their election, the Congress took absolutely no part.

52. First answer my question. Is it not a fact that these persons whom you refer to as having been elected were elected by the Congress as part of the programme in 1930 in order to bring the Council into ridicule and contempt?—The Congress strictly acted neutrally so far as the elections were concerned. I do not agree with the Congress in many respects, but I must say this about Congressmen that they are honest about their own principles, and follow them strictly.

53. Do you agree or do you not that these persons who were elected and to whom you refer in this statement were elected by the Congress as part of the programme in 1930 in order to bring the Council into ridicule? Please say yes or no.—It will not be the whole truth if I say 'yes' or 'no'. I have got personal knowledge only about two persons. The Congress, true to its creed, did not take part in their elections. Ramdayal was nominated by me.

54. You say: 'Every evening a Brahman, a Kayastha, a Chamar and a Pasi gather round the same fire and address each other as blood relations. In village panchayats established under a Local Act about a decade ago, panches of all castes work harmoniously as colleagues'. Do you mean to say that these people sit there in a congregation without observing any difference or untouchability among themselves?—There is no untouchability. But the Brahman is certainly respected. But they sit in the same place. If you come with me to a village, you will see it.

55. I find here in the evidence given before the Provincial Committee a gentleman of the name of Pandit Sheokaran Nath Misra, Deputy Collector, Fyzabad, said the following: 'Bhangis would be regarded as untouchable. In a village meeting Chamars would form their own group. He had not noticed mixed groups. He was surprised to hear that Chamar and other castes sat together indiscriminately when the Indian Franchise Committee visited a village'. Do you accept it?—I am sorry that he failed to notice what is a matter of daily occurrence.

56. He is a deputy collector.—He was probably looking through official glasses.

57. You distrust him on the ground that he is an official?—I certainly think it surprising that he failed to notice it.

58. Again you say, 'Tirthas, rivers and sacred tanks are open to all Hindus irrespective of caste'. I would just like to get information about the ghats in Benares. Are there any ghats there where depressed class members can go and take their bath?—I cannot tell you about Benares because I did not go to Benares recently, to the ghats. I have been to the temples.

59. Do you take it from me that in Benares the depressed classes cannot use any of even the municipal ghats?—They have got the right.

60. I am sorry you are wrong.—In Rishikesh, Hardwar, Prayag and Bithur there are no such restrictions. At Chitrakut there are no restrictions.

61. Are you aware that the depressed classes are not allowed to use the streets passing along the Viswanath temple in Benares?—I did not notice it. I think they do pass it.

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Memorandum submitted by the EUROPEAN ASSOCIATION, Cawnpore,

With reference to your Questionnaire in regard to the franchise, please consider the replies given by the Upper India Chamber, as being a joint statement made by the Upper India Chamber and this Association.

Memorandum submitted by the UPPER INDIA CHAMBER OF COMMERCE, Cawnpore.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) The Committee of the Chamber, while accepting the position that it is necessary so to widen the electorates that the legislatures should be representative of the general mass of the population, and that no important section of the community should be deprived of the means of expressing its needs and its opinions, do not accept, *per se*, the recommendation that there should be an immediate increase of the electorate so as to enfranchise not less than 10 per cent. of the population, and indeed a larger number but not more than 25 per cent. of the total population. They attach greater importance to the quality of the increase in the electorate than to its quantity. They certainly do not subscribe to the view that adult suffrage should be the goal which should be ultimately reached, for they hold the view that the day in which the ultimate enfranchisement could be attained in India is so remote as to place it beyond consideration.

They desire to point out that on the census figures available to them an increase of the electorate to 25 per cent. of the total population practically implies universal adult male suffrage and for this India is certainly not ready, in any province.

The Committee still hold the view expressed by them in the memorandum submitted by the Chamber to the Indian Statutory Commission in June 1928 that "the present bases of franchise extended to British India under the Government of India Act, 1919, and the methods of election now obtaining do not, in practice, supply the country with a representative system".

Memorandum by the UPPER INDIA CHAMBER OF COMMERCE. • [*Continued.*

They also maintain entirely their previous opinion "that the results of the elections by the present electorates are wholly misleading in that they have not brought to the legislatures the representatives of the people. The landholders are represented but the vast agricultural population of India is believed to be almost entirely without adequate representation".

They still maintain the belief that "that it would be more honest to India wholly to abandon the present bases of franchise and the present methods of election in the rural areas and to substitute a method which would result in an actual extension of the franchise to the rural population".

To the Statutory Commission the Committee suggested that the machinery for this actually existed in some provinces and might be established in others by means of the development of the *panchayat* system.

In 1928 the recommendation made as to the utilization of the *panchayat* system was based on its adoption as the lowest grade in an electoral college, for the election of district boards, the members of which would, with the municipal boards to represent the urban population, function as the second grade of the electoral college and have a direct vote in the elections to the Legislative Assembly and to the Provincial Legislative Councils.

Here the Committee have definitely changed their opinion and would now recommend that the village *panchayats*, or some similar primary village groups, should elect one representative from each group who would be entitled to vote in the Provincial elections to the Provincial Councils.

The essential basis of this recommendation is that the *panchayats*, or village groups, would be chosen by the universal vote of all the male adults of the village.

Since it has become evident from the evidence given before the Indian Statutory Commission that the *panchayat* system, as such, and known as it may be by whatever different title in other provinces, has not developed sufficiently and is not in existing circumstances likely to develop sufficiently to admit of its functioning for this purpose, the Committee would now prefer to substitute the term "primary group system" for *panchayat* system, and in reply to this portion of the first question in the questionnaire they would recommend the adoption, *in rural areas alone*, of the primary group system as the basis for the necessary extension of the franchise to these areas.

(*b*) The Committee consider that in electing their representatives the members of the primary groups will be quite capable of exercising an intelligent vote, since they will presumably be dealing with the merits of men dwelling amongst them and well known to them, both as to their qualifications and their limitations.

The Committee are fully alive to the possible harmful influences of local prejudices, local influences by zamindars and money-lenders and local corruption but believe that, even with these, the results will in the main, and speaking generally, be beneficial in the selection as secondary voters of representative persons who would certainly not be lacking in that intelligence or shrewdness which is desirable in such persons.

(*c*) In replying to this portion of the first question the Committee are compelled to rely on the census figures of the 1921 provincial census, since the detailed census reports and tables of the 1931 census have not yet been made available.

Speaking in round figures the total population of these provinces in 1921 was 45 millions. Of this total 40½ millions were the inhabitants of rural areas and of these a little over 21 millions were males.

An analysis of the age figures—allowing for admitted inaccuracy—goes to show that the adult males (*i.e.*, above 21 years of age) represented roughly

half the total male population. It may therefore be taken as approximately correct that there were 10 million adult males in the rural areas of the British Indian portions of these provinces, and therefore 10 million voters in the primary groups.

If these 10 millions were divided into primary groups of about 20 there would be 500,000 such groups electing a like number of secondary voters to increase the present rural electorates.

It is known that in the 1931 census the total population has increased by 6·76 per cent. to 48 millions and it would therefore not be unfair to reckon on a *pro rata* increase in the primary and in the secondary voters.

The electorate to the Provincial Councils in 1926 elections was 1,598,673 and an increase of this figure by some 540,000 would give a total direct electorate of between 210,000 and 2,200,000.

In the estimation of my Committee this is about the limit to an electorate which would in the terms of the question, " be administratively manageable having regard to the arrangements likely to be feasible for the preparation, maintenance and revision of the electoral rolls and for the recording and counting of votes ".

But while the actual electoral roll would thus be but little over two millions, actually over 10 millions of the agricultural population would, *viâ* the primary group system, have actually participated in the election, and this without the complications of electoral rolls, since all adult males would be included, and with only such arrangements as could somewhat easily be made for the division of the adult males into groups. These groups would necessarily have to be formed on a communal and, in the case of the " depressed " or " untouchables " classes, on a social basis, and while this would certainly add to the arrangements necessary it would remove many early complications and adverse influences.

(*d*) While the answer to the two previous portions of the question is certainly not in the negative the Committee consider that they should suggest an alternative, in case the primary group system be found impossible of adoption.

Whether in regard to the original or to this alternative recommendation it is necessary to make it absolutely clear that in the opinion of the Committee the extension of the franchise should be made *only* in the rural areas. The urban areas already have an adequate franchise and it is indeed arguable whether the urban qualification based on occupancy of Rs. 36 is not already too low.

On this basic understanding the Committee recommend as an alternative that the rural qualification for these provinces be lowered to the payment of revenue or rent of Rs. 75 annually, or alternatively to the holding of five acres of land.

Since, however, the Committee have not available sufficient information as to what the recommendation would mean in point of numbers of voters they obviously cannot give any opinion as to this. They merely feel that persons holding five acres of land or paying Rs. 75 as revenue or rent should be qualified to vote.

(*e*) As in the case of the alternative recommendation made above the Committee cannot, owing to lack of information, give a definite opinion. They have already indicated that an extension of the direct franchise to 25 per cent. of the population means practically adult male suffrage and on a direct franchise the country is not yet fit for this.

(*f*) The suggestion of an electorate based on primary groups is the main recommendation of this Chamber and is outlined in reply to (*a*) above.

Memorandum by the UPPER INDIA CHAMBER OF COMMERCE. [*Continued.*

In the opinion of the Committee it should not be extended to the towns, in which no extension of the franchise is considered to be either necessary or desirable.

The system outlined would, in the opinion of the Committee of the Chamber, be both feasible and advantageous in these provinces.

Group electors should vote in the same constituencies as the present directly qualified electors in the rural areas.

(*g*) In view of the opinion stated immediately above, this question does not arise.

(*h*) The existing qualifications for voters in the rural areas should remain unaltered in case the primary group system is found possible of introduction. The primary group system should be designed only to *extend* the franchise in rural areas.

(*i*) The Committee are of opinion that groups of from 20 to 30 would be suitable. The size of the group might be left variable within these limits according to local circumstances.

The groups should be constituted on a communal basis to secure adequate representation of minority communities and provision should also be made, for this same purpose, for groups consisting of the untouchable or depressed classes. It is considered that in village life the difficulty of ascertaining and limiting the members of these classes would not be great as they are in wider circles. The village community is usually very definite in its recognition of the village "untouchables".

The district staff should be charged with the duties of framing the groups.

(*j*) As the basic recommendation in regard to the group system is that the whole adult male population of the village should be utilized to form the groups no special qualifications beyond those of sex and age would be necessary. An adult should be held to mean a person of 21 years of age or over.

2. FRANCHISE QUALIFICATIONS.

(*a*) The Committee are of opinion that there definitely is a very marked disparity in the operation of the present franchise qualifications as between urban and rural areas. This has already been commented on in the answer to the first portion of question 1. The urban areas are over-represented and the rural are scarcely represented at all, in the strict meaning of the term "represented".

The whole of the recommendations given in the answers to the first question are designed to overcome this disparity and to give increased representation where it is properly necessary.

When it is recognized that the proportion of urban dwellers per thousand of the population of these provinces was only 106 in the census of 1921 the necessity for this re-adjustment becomes obvious.

(*b*) The Committee are in general agreement with the suggestion that each community should be given a voting strength proportionate to its numbers, and that to secure this result the franchise should be based on separate electorates.

In their memorandum to the Indian Statutory Commission the Committee of the Chamber recommended that the communal interests of Moslems should be protected in accordance with the formula enunciated by Sir William Vincent in paragraph 5 of his Minute of Dissent to the Government of India's Fifth Despatch forwarding the report of the Southborough Committee to the Secretary of State on April 23, 1923.

Memorandum by the UPPER INDIA CHAMBER of COMMERCE. [*Continued.*

When giving evidence in support of the Chamber's memorandum before the Statutory Commission it was pointed out to the Chamber's witnesses that the application of this formula to these provinces would mean that the Moslems, who were 14 per cent. of the population, would then get a representation of more than 14 and less than 28 per cent. whereas they were actually getting at the time 30 per cent. To this the reply was that the understanding—based on the Lucknow pact—whereby they were getting 30 per cent. representation was gravely imperilled and there was no guarantee, unless some such could be given by statute, that they would long continue to get this proportion of representation. Since then the position adverse to the continuance of the understanding has intensified and the statutory provision of representation is all the more necessary. The necessity for additional weightage was explained as being due to the importance of the Muhammadan minority.

The Committee see no necessity for altering their views on these points, but rather a greater necessity, due to recent events, for maintaining them.

The Committee would make no alteration in regard to the present respective qualifications of the two communities in urban areas, and would suggest that the necessary weightage in extending the franchise in rural areas by means of the primary group system could perhaps be obtained by adjusting the size of the Muhammadan groups in comparison with the non-Moslem groups.

The Committee are definitely opposed to either joint electorates with reservation of seats or joint electorates without reservation of seats.

(*c*) The Committee consider that the possession of property of some kind, of over a certain value, and in the wider sense stated in the question, is a suitable test of fitness for the franchise in *direct* voting.

The existing property qualification is considered to be suitable for urban areas. In rural areas also it would be sufficient, if the Committee's recommendation of the primary group system is accepted as a means of extending the franchise, and so far as it applies to those who now have the franchise on this basis in rural areas. If, however, the primary group system is not accepted the present qualification in rural areas would be too high and it should be lowered as is recommended as an alternative in the answer under head 1 (*d*) above. The modification suggested in such case is given in the answer referred to.

(*d*) The Committee are not in favour of the introduction of a qualification based on education, independently of property. If, however, the suffrage is to be extended to women a qualification based on education alone might, in their case, be granted.

(*e*) The Committee are in favour of retaining the existing military service qualification but they are opposed to its extension so as to include service in the Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) The Committee are not in favour of the specific extension of women's suffrage. They consider that the general illiteracy of women in these provinces—there being at the time of the 1921 census only 6 per cent. of literate women in the United Provinces—is in itself a bar to the general grant of women's suffrage but of greater importance as an adverse factor is the still prevailing continuance of the *pardanashin* system which would render the identification of women voters, in general, extremely difficult and would also effectually prevent large numbers of women from exercising the vote if it were granted to them. Where at present women enjoy the suffrage by right of property qualification they should not be deprived of their franchise and, as has been suggested above, this might even be supplemented

by the grant to women of a qualification based on education alone. In such case, educative tests, as distinct from mere literacy, might be imposed.

(*b*) The primary group system in rural areas should not apply to women.

(*c*) The Committee are opposed to the suggestion that, at any rate as a temporary measure, the legislatures should co-opt women members.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

In their memorandum to the Indian Statutory Commission the Committee, in 1928, indicated that in their view the depressed classes are quite inadequately represented in the Central and Provincial Legislatures and recommended that their representation should be increased considerably.

The present recommendation as to the extension of the franchise in rural areas by means of the primary group system provides for groups of members of these classes. To secure the return of representatives of the depressed classes, seats should be reserved for them in the Provincial Legislatures and the depressed class group representatives should vote only for these seats. For urban areas seats should also be reserved, the present property qualification being maintained.

5. REPRESENTATION OF LABOUR.

In the present state of the development of Trade Unions these bodies are considered by the Committee to be unsuitable for recognition as special constituencies for the representation of labour.

If and when they come so to be organized as to be properly representative of labour interests, by means of labour members alone, they might be recognized and organized labour be granted a franchise *viâ* these bodies.

At the present time, however, there is not, in the opinion of the Committee, any alternative to the continuance of the present system of obtaining representation for labour by nomination.

The Committee cannot see that the formation of direct constituencies of labour, either organized or unorganized, would be feasible. At best this would only be possible in the case of organized labour and even in the case of such labour the provision of proper qualifications based on residence and wage levels would be extremely difficult.

The Committee are not enamoured of the nomination system in any case but they do not see that, at present, and probably for some time to come, it can be avoided in the case of labour interests.

These remarks apply also to plantation labour. Agricultural labour would, if the system of primary groups in rural areas is accepted, obtain representation *viâ* the groups. Actually the extension of the franchise by this means would in large measure benefit agricultural labourers, as distinct from tenants and small landholders.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

In their memorandum to the Indian Statutory Commission in 1928 the Committee recommended that European commerce and Indian commerce should be accorded separate representation in both the Central and Provincial Legislatures. They considered it wrong that European commerce should be denied representation in the Legislative Assembly, save by the nomination of one representative of the Associated Chambers of Commerce while on the other hand Indian commerce was, in certain provinces, privileged to elect members to the Assembly. They recommended that representation should be accorded to Commerce by means of election by

Memorandum by the UPPER INDIA CHAMBER of COMMERCE. [*Continued.*

Chamber of Commerce constituencies and they put forward recommendations as to the method of election in such constituencies.

The Committee now desire to modify the recommendations then made to the extent of recommending that in the Central or Federal Legislature European commerce as a whole should be empowered to return an adequate number of representatives, but in any case certainly one representative to each of the Upper and Lower Chambers in the Central Legislature. The selection of these representatives should be vested in the Associated Chambers of Commerce under rules agreed on by the constituent Chambers of the Association.

As regards the Provincial Legislatures, the previous recommendation is maintained that in these provinces this Chamber should elect two representatives to the United Provinces Council in the lower house.

The present methods of election by Chamber of Commerce constituencies are not regarded as satisfactory and the difficulties which have been experienced and complained of should be removed. These difficulties lie in the present methods laid down for the preparation of the Chamber constituencies' electoral roll. The present necessity for nominating an individual to represent a firm which is a member of a Chamber of Commerce, and whose name must appear on the electoral roll, should be done away with, and the member, when a firm or corporate body, should be given power to vote in its own name. Alternatively, the electoral rolls of the Chambers of Commerce, if they must be prepared on the basis of an individual nominated by each member, should be revised semi-annually, if not quarterly. Under the present rules many members are, particularly in the case of bye-elections, liable to be deprived of their votes and to be prevented from nominating persons connected with their business as candidates for election by the fact that the person whose name appears on the electoral roll, prepared perhaps two or three years previously, may have severed his connection with the firm, may have died, or may at the time of the election be absent on leave. Members of Chambers of Commerce should be permitted to nominate any duly accredited person connected with their business as a candidate, and also to nominate any similarly accredited person to exercise the vote on behalf of the member. In short the membership roll of the Chamber should be the electoral roll. These recommendations are identically the same as those made to the Indian Statutory Commission.

In regard to the representation of Universities the Committee previously recorded the opinion that there was then no need for granting special representation to these bodies for the reasons stated in paragraph 14 of the Government of India's Fifth Despatch of 1919. This opinion is maintained.

Landholders as a body should be accorded representation through their Provincial Associations. This would be in addition to such representation as might be secured in the general electorates by the election, on their individual qualifications of individual members of the landholding classes.

Although this point is not specifically touched on in the first part of the questionnaire the Committee feel that it is necessary for them to put forward the recommendation that there should be two Chambers in the Provincial Legislatures. The recommendations hereinbefore made refer to the franchise for election to the lower Chamber.

To the Indian Statutory Commission the Committee recommended that the Provincial Legislatures should be bi-cameral, the Upper House being of approximately one-third the numerical strength of the Lower House, and composed of elected and nominated members. The elected portion should be returned by direct election on a restricted and comparatively high franchise not lower than that obtaining for the present Council of State. This opinion is still held unimpaired.

Memorandum by the UPPER INDIA CHAMBER OF COMMERCE. [*Continued.*

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

In examining the allocation of seats to provinces of British India tentatively suggested by the Federal Structure Committee the Committee of the Chamber are struck by the excessive representation which it is proposed to accord to Bombay. This presidency is over-represented in the present Central Legislature but while the commercial importance of Bombay must be recognized it does not in this respect exceed the importance of Bengal, while on population and electorate bases Bombay is certainly not entitled to representation in any way equivalent to that, for instance, of Bengal. To-day Bombay has 16 seats in the Legislative Assembly while Bengal has 17 and in the Council of State each Presidency has six seats.

And yet in the 1921 census Bombay, with Sind *and* Aden, had a British Indian population of only 19¼ millions while Bengal had nearly 46¾ millions.

In the 1931 census the disparity is even wider as Bombay, with Sind and Aden, had little over 21 millions while Bengal had nearly 50 millions.

The representation of Bombay in the Central Legislature is, therefore, at present clearly overweighted.

The Federal Structure Committee propose that the adjustment due to Bombay's commercial importance should be given by weightage of the special representation recommended for Indian and European commerce. The Committee of the Chamber apprehend that this will mean that the commercial interests of Bombay will be given disproportionate representation as compared with those of Bengal. Of the results of this my Committee have little doubt since it has for long been apparent that the Bombay commercial interests have exercised a disproportionate influence in the Central Legislature in the past. And candidly the Committee of this Chamber do not desire to see this perpetuated.

(*a*) The Committee support the proposal of the Federal Structure Committee that the representatives of the British Indian provinces in the Upper Chamber of the Federal Legislature should be elected by the Provincial Legislatures by a single transferable vote. In provinces where there are two Chambers the election should be made by joint session of both Chambers.

(*b*) The Committee consider that the franchise qualification should certainly be different for the lower Chambers of the Provincial and Federal Legislatures. For the Federal Legislature the franchise qualification should be the payment of income-tax or of land revenue on an equivalent basis.

(*c*) Election to the lower Chamber of the Federal Legislature should be by general constituencies arranged on (*a*) a territorial basis, and (*b*) on a communal basis, and also by special constituencies representative of (*a*) landlords, (*b*) commerce, British and Indian, separately, (*c*) Europeans, (*d*) Anglo-Indians, (*e*) Indian Christians. The interests of labour should be represented by nomination.

On the qualification basis recommended, *i.e.*, payment of income-tax or of land revenue on an equivalent basis, it is not apprehended that the general constituencies, arranged territorially and communally, would be unmanageably large.

In the absence of information as to how many electors would thus be produced the Committee are not in a position to give detailed recommendations as to the number of seats to be allotted to these provinces, but, viewed comparatively, the allocation suggested by the Federal Structure Committee of 32 seats to the United Provinces does not seem unfair.

Memorandum by the UPPER INDIA CHAMBER OF COMMERCE. [*Concluded.*

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

The Committee do not recommend the inclusion of women in the Central Legislature.

Labour should be represented in both Chambers by nomination. The depressed classes should be represented in both Chambers by nomination.

Landholders, British and Indian commerce (separately and equally), Europeans, Anglo-Indians and Indian Christians should be represented in both Chambers by election *viâ* their respective all-India associations.

8. GENERAL.

The Committee have no remarks to offer under this head.

LUCKNOW.

Dated 20th March, 1932.

PRESENT.

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, WITH THE EXCEPTION OF SIR ZULFIQAR ALI KHAN, AND ALL MEMBERS OF THE UNITED PROVINCES PROVINCIAL FRANCHISE COMMITTEE.

Mr. T. GAVIN JONES, M.L.A., Representing the European Association, Cawnpore.

Mr. J. G. RYAN, M.B.E., V.D., Representing the Upper India Chamber of Commerce, Cawnpore.

1. *The Chairman:* You represent both the European Association and the Chamber of Commerce—(*Mr. Gavin Jones*): Yes.

2. In the memorandum which you have circulated you say the existing system of enfranchisement is unsound and you recommend the substitution of what has been generally described as the universal indirect system, grouping the whole population and allowing secondary voters to be elected?—In rural areas only.

3. Would you take away the vote from those who possess it in their own right?—No.

4. You will leave all those who exercise the vote to continue to exercise it?—That is right.

5. But you would not lower the franchise qualification?—Yes; that is provided you put through the idea of the group system.

6. And for the rest you group them in 20's?—Yes.

7. You give a total electorate of 2,200,000 and odd in a population of 42 or 43 millions, which is about 5 per cent.?—Well, it is 5 per cent. direct, but indirect will be more. We propose enfranchising indirectly about 10 millions.

8. What is your proposal for the towns?—To stand exactly as they are on the present register.

9. No extension of the franchise?—No.

10. Supposing the group system, either in your form or in one of the alternative forms, proves impracticable, what do you recommend?—If the group system is not approved we should halve the qualification in the rural areas only.

11. Would you halve the qualification in the urban areas?—No; we will leave them as they are.

12. Turning to women's suffrage, you would not make any special provision for the enfranchisement of women except possibly having the literacy test. You put that in a qualified way?—(*Mr. Gavin Jones*): That is the Chamber's recommendation.

13. As far as the legislatures are concerned you would allow them to co-opt women members?—No, we do not agree to that.

14. You don't think it necessary in the next 10 years for any women to be in the legislatures to look after the interests of the women unless they can secure election on their own?—Yes.

15. Turning to labour, I understand, you say there is no other way of securing representation of labour as a function or interest corresponding to the representation which capital, landlords, Chambers of Commerce and so on ask for in this province, to a considerable degree except by nomination? —That is our view.

16. How many nominated members would you suggest?—We would equalise that with the Chambers. So long as the Chambers represent the employers, it is natural that labour should have the same representation.

17. Equal in numbers?—We really have not considered that.

18. Turning to the representation of the Chambers of Commerce, you adhere to your previous recommendation which the Chamber made, that this Chamber should elect 2 representatives?—Yes.

19. On what assumption about the size of the house is that based?—The present size, 120.

20. Supposing it is doubled?—Then we expect a proportionate increase.

21. You want a method by which the franchise is exercised by the Chamber of Commerce through a constituency nominations being obtained from individual firms. Is that correct?—Yes.

22. Europeans as such, I understand, have one representative in the existing Council?—Yes.

23. Supposing the House is altered?—We consider that one is really not sufficient. We consider that we should at least have 2. We should have at least 2 in the present house and that should be doubled if the House is doubled.

24. I see you take the view, which is not uncommon in other provinces, that the proposed representation for Bombay in the Federal Legislature is excessive?—That is so.

25. *Mr. Miller:* Do you think that the group system will give real representation to the masses?—We think it will give more real representation than the present representation.

26. Will it give representation to the 10 millions?—Better representation.

27. You are against the extension of the franchise beyond 25 per cent.? —Certainly. 25 per cent. would mean adult male suffrage.

28. What would 10 millions be?—50 per cent.

29. By introducing the group system you are really giving more than you are in favour of?—10 millions is adult male suffrage in the rural areas or very nearly so. It comes to the same thing as far as that goes, but indirect representation is quite different to direct. We consider direct representation and adult suffrage to be quite impossible and would not be practicable at all.

30. If you are against adult suffrage I do not understand how you have made that recommendation?—We are quite sure that the only way you can represent the rural areas is by indirect election because it is impossible for the ordinary villagers to grasp the situation and not only that, it is quite impossible for the members to approach them. Therefore if each of them has a vote for a man who will be an elector you will get a far better and broader influence than you will in any other way.

31. You don't think it is better to extend the franchise as far as administratively possible, and let those people have direct vote and know something of what they are doing?—We have made an alternative suggestion—that

the direct vote could be extended by lowering the property qualification. If you can't put through the indirect vote in our opinion in rural areas the direct vote is not properly exercised. It is the urban member who gets the control really. Rural interests are not represented. For instance, when I was in the Council I was elected a member of 41 areas. There are only 12 urban constituencies. This is all wrong. What we aim at is as fair rural representation as we can. We consider that the group system is the only system by which we can get anything near to it.

32. You don't think it is possible to do it by lowering the franchise?—We do not consider that they will be so well represented as they would be by the group system.

33. As regards labour, do you think it will be possible to form an electorate by fixing the average wage as the qualification?—It is too difficult to get at that.

34. Don't you think that the employers can supply that information?—You must not forget that organised employers having their labour organised are comparatively small. So, the interests of labour really would not be represented at all.

35. I am only talking about organized labour?—Organized labour is limited. You can get it from the various mills, but I doubt whether you can get all the information.

36. There are two ways that have been suggested for the representation of labour. One is trade unions and the receipt of certain minimum wages is another. Which do you think is better?—We have proposed that organised labour should not be represented direct. We don't think that it will be possible. Trade unions as trade unions should not be represented.

37. Why?—Because trade unions are liable to become merely political bodies and not representatives of labour. We consider nomination is the best method and I don't see any possibility of adopting the wage system because the wages vary.

38. You could take an average?—I don't think it is practicable. You may get false returns.

39. Supposing we can't agree to nomination, what method would you suggest other than trade unions?—We see no way except nomination.

40. If there is an upper house in the province would you have European representation?—Yes.

41. And Commerce?—That is what we have asked for.

42. Why do you consider that both are necessary? It has been suggested that it is enough if either European Commerce is represented or Europeans as such are represented. When you have the representation of Europeans as such, they can represent European Commerce also. Why do you think that both should have a vote?—I will give my personal views. We have asked for the representation of commerce. If we are going to have special representation, we think, that Commerce should be represented throughout. My personal view is, though it is not the view of the European Association and it is not the view of the Chamber of Commerce, that you should abolish special representation of Commerce, Indian Commerce and European Commerce.

(Mr. Ryan): If I may be permitted to interrupt, I will definitely state that that is not the view of the Chamber of Commerce.

43. You will abolish all special representation?—*(Mr. Gavin Jones):* All special representation of commerce, industry and labour.

44. How do you think they should be represented?—European Commerce can be freely represented by the European representatives of the various

legislatures and Indian Commerce can be freely represented by any of the parties that go to the legislatures, the Liberal Party or the Congress Party or any other party. Labour will be represented through the ordinary constituencies. Mind you, I am giving this as my personal view and I don't wish you to think that here I am giving this evidence for the European Association or the Chamber of Commerce.

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45. Will you Mr. Ryan, state your view?—(*Mr. Ryan*): We feel, while certainly the European interests are in many cases identical with European Commerce, they are not always so. There may come a time when there may be an important difference of opinion. In these circumstances we feel that both European Commerce and Europeans should be represented.

46. One reason you think is that the Chambers of Commerce are not political bodies and their views are not necessarily the political views of the Europeans?—Speaking for our own Chamber it is emphatically so. We are not a political body. Incidentally, we are not an European body. Ours is a chamber which, fortunately, has a mixed membership. But we feel that the mandated views of the Chamber of Commerce such as ours might quite easily be antagonistic to the interests of Europeans *qua* Europeans and *vice versa*.

47. In fact, there are some points on which you could not give a mandate at all?—There are very many points on which you could not.

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48. *Mr. Tambe:* Mr. Ryan, you were examined by the Provincial Committee?—I was, but with your permission I would like to state that I consider that the record of my oral examination is entirely a garbled statement, not representing my views, which in fact I hold. It makes me talk nonsense in bad grammar.

Rai Rajeshwar Bali: May I point out that we could not submit the record to Mr. Ryan for correction because there was no time?

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49. *Pandit Hirday Nath Kunzru:* Does the record make you say anything which you did not say?—Definitely it has led to the impression that the Chamber is antagonistic to the interests of the landholders and I wish to have this opportunity of correcting any such impression, because we hold that the landed gentry, the hereditary landholders are what I would like to say the bulwark of the constitution and so far from wishing to reduce either their representation or their franchise, we have recommended that their franchise should be increased through the landholders' association in addition to the personal vote on property qualification. Nothing could be more incorrect.

50. *Mr. Tambe:* I only want to refer to a certain question and answer. In answer to a question by Khan Bahadur Hafiz Hidayat Husain you say: "I do not wish to separate European from Indian commerce. That is my personal feeling". Is that correct?—The question was "Do you think that representation of commerce by two of your members is adequate enough to represent all their interests". I said, to the best of my recollection, that I do think it was sufficient at present, but that my personal view was opposed to the separation, which had been brought about by Government, of European and Indian Commerce.

51. Does this correctly represent your views?—That is correct but only partially correct inasmuch as it does not bring out the whole answer to the question.

52. Mr. Gavin Jones, do you think that the landholders represent the rural interests?—Yes.

53. In the present Council there is a large number of landholders who reside in urban areas?—Yes.

54. If a man resides in urban areas, it does not necessarily mean that he cannot represent the rural interests?—Landholders do represent rural interests.

55. What class of persons would be elected by the groups?—It will be open to them to elect anybody they want. Tenants mostly, small landholders and all that sort of people will be elected.

56. Would they be under the influence of the landholders?—That I can't say. They may be and they may not.

57. Would they be different from the voters in the rural areas at present?—How do you mean 'different'?

58. Certain persons in rural areas are enfranchised on property qualification, some will be enfranchised on direct qualification. The electors that the primary electors would elect, would they be different from these persons?—They would all represent rural interests. In a wider franchise they will represent rural India. Our object is to give better representation to rural India.

59. And widening the franchise would do that?—Yes.

60. It won't be necessary to have the group system?—That is the only way that you could get better representation.

61. The same object can be gained by widening the franchise?—When I said 'widening the franchise' I meant to say that indirect election would widen the franchise. 'Would widen representation' is the better way of expressing it.

62. Do you favour direct adult franchise?—No, we do not.

63. Would you take away that in the case of England?—England is a different proposition altogether.

64. Would you, in your own case, take away the direct franchise?

The Chairman: They propose to leave the direct franchise as it is.

65. *Mr. Tambe:* I just want to be clear. You said that you do not believe in direct adult franchise. Am I right?—Yes, that is right.

66. Would you do away with direct franchise if you could?—We propose to leave the direct franchise as it is. We propose also to introduce indirect adult franchise in the rural areas only.

67. What should be the ultimate goal? Direct adult franchise?—Our proposal is for those who are not now directly enfranchised.

68. Directly they should never be enfranchised?—I don't say 'never'.

69. Anyhow for the present you want indirect franchise. Should they have direct franchise of any kind?—That I can't say. That depends on development. We are only trying to create something for the present.

70. Not thinking of the future at all?—These abstract things cannot be entertained now. In the remoter future it may be possible.

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71. *Mr. Bakhale:* Mr. Gavin Jones, you referred to trade union organizations becoming political organizations?—Yes.

72. Can you give me one single instance of a trade union organization in India which has officially declared itself in favour of political agitation, to which you object?—No. Of course, not officially.

73. Any more than the Chamber of Commerce?—Officially not, that is quite true.

74. Do you agree with me that no organization of labour has joined any political movement?—But we know perfectly well that they do become

political organizations. The Mazdoor Sabha is not only a political organization; it is a revolutionary organization.

75. Can you point out one single resolution passed by that Sabha joining either the Civil Disobedience movement or any other movement to which you take objection?—We cannot point out any resolution. But we know the fact; that is all.

76. You know the fact in the sense that certain individuals who are officers or members of that organization take part in political affairs just as much as you people belonging to the Chamber of Commerce and the Trades Association take part in political organizations. That is all what it comes to?—But those individual officers you mention have not been disowned by their organization.

77. By whom and why should they be disowned?—For their political activities.

78. Has the Chamber of Commerce disowned its office-bears for taking part in political activities?—In their individual capacity they take part.

79. They have not been disowned in that capacity?—Possibly so.

80. In the case of labour organizations when individuals take part in political activities why do you condemn those organizations on that account? Then, Mr. Jones, you refer to false reports submitted by the unions or to the possibility of trade unions giving false accounts to the Registrar of Trade Unions. May I put it to you that there are certain labour organizations in your own province which have been registered as long ago as 1927-28 and they are still on the Register? The Registrar of Trade Unions has not himself reported that they are sending false returns, which means that they are submitting their annual returns regularly. Can you yet say that their returns are false returns?—I never said that they are sending up false returns.

81. May I know whether the Chamber of Commerce is a registered organisation?—It is a company registered under the Companies Act.

82. You are aware that these registered trade unions have to submit their annual reports in accordance with the rules made under the Trade Unions Act?—I am quite aware of that.

83. You are also aware that the executive of these trade unions have got to be formed in accordance with certain rules prescribed under the Act?—Yes.

84. You are also aware that having regard to the circumstances and having regard to the present constitution and situation of the trade union movement, the Whitley Commission have recommended that trade unions, however weak they may be at present, should be made the basis for sending representatives to the legislature?—We are aware of that and we agree with that.

85. *Sir Sunder Singh Majithia:* Mr. Gavin Jones, in your statement you have increased the rural franchise, but have left the urban franchise where it is at present?—Quite so.

86. Do you think that by this method you will be able to get people capable of taking charge of the administration of the country?—I do not quite follow you.

87. The representatives who will be coming from the rural areas will not generally be people with administrative capacities equal to those possessed by the urban representatives and you are increasing the number of representatives in rural areas?—Our idea is merely to increase the rural representatives. It has nothing to do with the quality of the men going into the legislatures. That is quite a different matter.

88. But surely you have to keep in mind the fact that the people who will be elected will have to take charge of the administration in future?—Quite so.

89. Therefore may I suggest that if you do not increase the representatives from the urban areas, it would be detrimental to the interests of the country?—Not at all. We think that the urban areas are to-day over-represented in the council.

90. In your memorandum you refer to the necessity for re-adjustment in regard to the representation for urban and rural dwellers and that the minority communities must have adequate representation. You still hold that view?—Yes.

91. You will give special weightage to the minorities in the future constitution?—Yes.

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92. You have stated that representation should be given to the landholders as a body in the provincial councils. Do you mean to say that you would like to give representation to associations like the Landholders' Association at Lucknow and the other Association in Agra?—When we agreed that the zamindars should get adequate representation we had the Oudh Talukdars' Association in mind.

93. You think the others will be able to get proper representation otherwise?—(*Mr. Ryan*): That is in addition, of course, to individual representation of landholders through the general electorate on account of their property qualification.

94. In your statement you say that you have repudiated the evidence?—I have not repudiated the answers to the questionnaire. I have repudiated a large proportion of the record of my oral evidence.

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95. *The Hon'ble Mary Pickford:* I gather from your answers to the questionnaire that you would keep the present property qualifications both for men and women exactly as they are to-day but that the primary group system in rural areas should not apply to women. Do you realise that it will very largely increase the existing great disparity between the voting strength of men and women to which the Prime Minister has drawn attention?—I am afraid we have accepted that. Our reason for excluding them was that it is not feasible to extend it to both.

96. But in your examination you say that you realise that it would be a grave injustice to women to keep them out altogether?—I do appreciate that personally. I feel that we are doing an injustice to women. I quite realise it and, in fact, I am reminded of the expression "A grey mare is a better horse in many cases". But it must be remembered that we have not desired to disqualify the grey mare. Only we do not see how we can help her.

97. Supposing the Committee decides to include women in the groups, would you have any objection?—Speaking personally, I would not have any.

98. Do you think your Association would object?—That is a point I should put before them. They have not considered it. They may accept it if the Government assures them that there will not be much difficulty if instead of handling 10 million primary voters the Government had to handle 20 million primaries.

99. In the matter of securing some representation for women in the councils, I gather from your answers that you are distinctly opposed to co-option or nomination?—No, pardon me. What I said in that memorandum is that I did not understand what was meant by co-option. I therefore said that to me it was neither fish, nor flesh nor good red-herring. But I did accept the present method of nomination.

100. Well, another suggestion has been made that a small percentage of the women who, having contested the elections unsuccessfully, have secured the largest number of votes among women candidates should be treated as

having been returned to the councils. Would you have any objection to that on principle?—It would be a bad precedent, because it would mean that the same may be applied to men also, in some cases.

101. It would be only as a temporary measure?—I confess I do not like that method. I would prefer nomination of persons who are regarded as qualified not merely on the ground of their lack of success in election.

102. Do you think this would be the least objectionable?—I am afraid I could not accept that as a method of making up weight.

103. You do not object in principle to some method for securing a small representation for women in the first two councils?—Most certainly not and that is why we have added in our suggestions that educational qualification ought to suffice without any property qualification.

104. That is a question of franchise. I am speaking of reservation of seats?—I am prepared to accept any reasonable method for filling the seats to be reserved for women. This is my personal view.

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105. *Mr. Butler:* You are aware that under your scheme labour will not be enfranchised?—Yes.

106. Does it not strike you that any system of nomination of labour would be very difficult to maintain under responsible government?—We realise the objections to nominations, but we see no other way.

107. Would it not be possible, in your opinion, to lower the qualification in urban areas so as to include the labouring masses in specially selected centres? —(*Mr. Ryan*): To a very large extent the labourer is included under the present qualification. (*Mr. Gavin Jones*): We consider that we have suggested a low enough qualification for the purpose.

108. You include industrial labour?—Yes.

109. Will one class of labour represent another class?—It would, in one sense.

110. Will an industrial labourer represent all classes of labour?—As far as my knowledge goes a labourer from Cawnpore would represent all classes of labour.

111. You do not want to give more representation to labour?—We think it is a mistake for some time anyhow.

112. *Lord Dufferin:* The point is whether the representatives that we may get would be really representatives of labour?—We are quite satisfied that in Cawnpore the labouring classes have a sufficient voice in the election of their representative.

113. How many members do they elect?—There is one for the Cawnpore city. I am speaking without my book. I could not therefore be sure.

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114. *Major Milner:* I understood you to say that labour has got adequate representation. But is it not a fact that mill workers have no vote at all?—The mill workers have got a very considerable vote based on their rental qualification.

115. Can you give us any figures on that?—I cannot, but the qualification is so low that they can come in.

116. I was told that they have no vote.—Are you considering the general electorate?

117. I am putting it to you that so far as the mill workers are concerned, I presume they are the worst paid.—The mill workers are, in my opinion, the best paid of the labouring classes, and they definitely are qualified for the vote.

118. You say the majority of them?—I cannot say the majority, but a large number.

119. Majority or minority?—I cannot say definitely, because I do not know.

120. *Rai Rajeshwar Bali:* You suggested that the representatives who have come to the Legislative Council of this province do not represent adequately the interests of the rural population, because they are mostly residents of urban areas?—Yes, to a large extent.

121. Do you know whether a large number of zamindars who have been here in the Council are residents of rural areas or urban areas?—Well, they are residents of both. I certainly do not class them as absentee landlords. But there is a class which is only nominally resident in rural areas, whose main interest in life is in towns. I am talking of those men who have dispossessed hereditary landholders.

122. You mean those who are not landlords?—I am talking of those who are landlords at present.

123. Who reside largely in urban areas?—Yes.

124. Do you think a large percentage of them come to the Council?—I am advised so. Mr. Gavin Jones has given the figures.

125. You know it has been rightly said that so far as the Provincial Council is concerned, the majority of representatives consists considerably of landlords?—Yes.

126. If the landlords have been generally residents of rural areas, it cannot be said that the interests of rural areas have not been adequately represented?—Yes.

127. When you say that, do you mean to suggest that it is so because the landlords have not generally represented the interests of the rural areas? —I am not going to say that at all. What I say is that the rural areas have returned as their representatives those who are really urban residents.

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128. *Pandit Hirday Nath Kunzru:* May I ask you, Mr. Gavin Jones, how your group system would enable you to get men more representative of the rural areas in the Councils?—(*Mr. Gavin Jones*): Well, it is natural that 20 people will elect the most intelligent man as an elector; and then when these elect the member, it is natural that they will get better representatives.

129. I understand from what you and Mr. Ryan said that your objection to the direct system consists in the fact that some proportion of members of the Council are men resident in urban areas. Would you prevent these people from offering themselves as candidates, no matter how your electorate is formed?—(*Mr. Ryan*): We do not propose to prevent them because we are maintaining their qualification. But we do feel that if the rural constituencies are enlarged, you will have men there able to vote first through the group system for the people that they know, they realise their best interests at heart, and secondly through the secondary voters.

130. How does this system of having secondary voters along with the directly qualified voters prevent voters from sending men residing in urban areas as their representatives to the Council? How are you going to prevent that?—We may not prevent it, but we may say the chances of urban residents coming in will be less, because the large body of the electors are of the rural areas.

131. Your electorate is only two millions and a quarter. The Provincial Committee has recommended a much larger electorate. How does your electorate enable you to see that more of those living in the rural areas are returned?—(*Mr. Gavin Jones*): The whole point really is that there is a demand for an increase in the franchise and this we consider is the best method of increasing it. But the object of obtaining rural representation and not

being represented by urban members can also be attained by a qualification which is different.

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132. You are against the co-option of women by the Provincial Council?—We do not know what it means.

133. You are against the election of women by the Provincial Council?—Is that what co-option means?

134. I suppose so.—I do not favour that method of representation.

135. You do not want women representatives to be elected by the Legislative Council?—I prefer nomination.

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Memorandum submitted by the BENGAL AND NORTH-WESTERN RAILWAYMEN'S ASSOCIATION, Gorakhpur.

1. EXTENSION OF THE FRANCHISE.

(*a*) In rural areas all zamindars paying any amount of Government revenue, all tenants paying Re. 1 as rent, every person who has passed the Primary School examination or any other equivalent examination, every person earning Rs. 60 annually, every person paying any amount of tax to a town area or a notified area, and every person paying house rent of Re. 1 per month should be qualified as elector. These qualifications are open for men and women alike and every adult member of a joint Hindu family will get the right of vote in addition to the head or manager of the family provided his share if separated would be equal or more than the requirement of the above, provided that age limit for the elector is 21 years.

(*b*) & (*c*) Yes.

(*d*) Does not arise.

(*e*) Not desirable for the present.

(*f*) Group system is very undesirable and it is harmful to the poor. This system has no footing as it has been suggested only for the convenience of recording the votes. When we are going to increase the number of seats in the Legislature we think it ought to be 500 instead of 100 in the United Provinces; it has got a population of about five crores and every constituency will have one lakh of men and women to represent. Out of this, there will be ten to fifteen thousand voters, which is not at all a very large number, nor the area will be very huge.

(*g*) Does not arise.

(*h*) This association is not at all in favour of it.

(*i*) & (*j*) Does not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) No doubt there is at present some disparity but with the qualifications which we have suggested in para. 1 (*a*) this disparity will be removed.

(*b*) This association agrees that each community should be given proportionate representation but we are not in favour of separate electorate. It is very harmful to the minority community. This will also create further communal feeling in the Legislature as these elections will be fought on communal lines and will be very harmful to the provnice as the experience of the last ten years has shown us. It is very difficult for any man seeking election to the Legislature to ignore 10 or 20 per cent. in the minority community vote, so any man elected from out of the joint electorate will never

Memorandum by the BENGAL AND NORTH-WESTERN RAILWAYMEN'S ASSOCIATION, Gorakhpur. [*Concluded.*

be a communal man and he will also watch all the interests of his constituency honestly. It is found in the election of chairmen of district and municipal boards, that where there is a sufficient majority of Hindu members Muhammadans are elected chairmen. Similarly it is very possible that Hindus and Muhammadans will get very good representation according to their population in the Legislature. In this way the minority community will in no way be harmed by the majority community.

(*c*), (*d*) & (*e*) With due regard to the property, education and service, the electoral qualifications have been recommended in para. 1 (*a*).

3. WOMEN'S SUFFRAGE.

(*a*) As regards women's suffrage, the qualifications recommended in para. 1 (*a*) will give them sufficient representation for the following reasons:—

All women of joint families will get themselves qualified to vote; of the labour classes all women earning Rs. 60 annually will come to the elections, and also educational qualifications will help them a great deal.

(*b*) This does not arise as the association does not agree to it.

(*c*) Qualifications as suggested will give sufficient representation of women in general election but in case the representation is not thought sufficient the association is of opinion that 5 per cent. of the seats be reserved for women and they should be co-opted by the elected members of the Legislature.

4. DEPRESSED CLASSES.

Now by this franchise, which has been recommended in para. 1 (*a*), very large number of backward and depressed classes will come out as electors and thus they can send out representatives in large numbers. We are opposed to any separate representation for backward or depressed classes as they will have enough.

5. LABOUR.

All labour unions be allowed to nominate 5 per cent. of the total strength of the Legislature as their representatives on the Legislature to represent labour interest.

5A. REPRESENTATION OF SPECIAL INTERESTS.

The association thinks that some percentage of the total strength, that is 10 per cent., be reserved and should not be open for general election. It will be for the community which is not fully represented.

6. ALLOCATION OF SEATS IN THE FEDERAL LEGISLATURE.

This association is totally against an Upper Chamber. There should be only one Chamber and it should be of 500 representatives.

(*a*) No, it does not arise.

(*b*) It does not arise.

Rai Sahib M. DAS, Representing the Bengal and North-Western Railwaymen's Association.

1. *The Chairman:* What is the membership of your association?—3,000.
2. Is it a properly registered trade union?—Yes.

20th March, 1932.] Rai Sahib M. Das. [*Concluded.*

3. I see that your proposal for the representation of labour which is the main matter with which you are concerned is that all labour unions should nominate 5 per cent. of the total strength of the Legislature. You mean that the trade unions should be constituted into special constituencies to elect 5 per cent. of the Legislature?—Yes.

4. Supposing the Legislature consists of 250 members, do you think the trade unions of this province could elect 25 members?—No. I mean 5 per cent., that is, 12 members.

5. Do you know what are the numbers of the industrial population of this province, that is people working in factories and railways and so on?—No.

6. In your view the Trade Unions should be the instruments by which labour should express its specific needs as a special interest in the legislature?—Yes.

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7. *Mr. Bakhale:* You want labour representation through the Trade Unions?—Yes.

8. There are two systems recommended, one is the Trades Union and the other is a separate constituency altogether. Which of those two systems do you prefer?—I think the Trades Union.

9. Under the other system you feel that the right type of man would not be elected?—Yes.

10. Probably an employers' man may be elected?—Yes.

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11. *Major Milner:* How many of your members have got the franchise in Gorakhpur?—None go to the polls. They live in the rural areas and the only qualification in the rural areas is rent and not income, so none go.

12. That means they have not got the vote?—Yes.

13. Have they got any land?—Those who have got land don't go in for service.

14. You have said that Trade Unions should be the constituency to elect a certain percentage of members to the legislature. Would that improve the status and responsibility of trade unions?—It will increase their responsibility.

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15. *Khan Bahadur Hafiz Hidayat Husain:* Are you in favour of adult-suffrage?—Not at present, but I am in favour of the franchise qualification being lowered.

16. What objections have you for the group system?—I think it is a most objectionable system and should not be adopted. If you go in for the group system you will get indirect election; that is not really representation of the masses. It will be very possible for rich people to come in and the poor to be left out. The number of those coming from the group system will be very small and when there are a small number of voters there is fear of corruption.

Memorandum submitted by the BRITISH INDIAN ASSOCIATION of Oudh.

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Our proposals will keep two objects in view: firstly we will consider the need of protecting the vested interests of the province and secondly we will consider the desirability of devising means to utilise to the full the assistance that the landlords are capable of giving to the administration. Forms of government change. Formerly when the chief authority rested in the hands of executive the landlords acted as its very important auxiliaries. Now that the legislature will be the chief authority it is equally necessary to give them an effective voice in the control of affairs.

Memorandum by the BRITISH INDIAN ASSOCIATION of Oudh. [*Continued.*

From these points of view it is difficult for us to give a definite answer to the first question contained in the letter of the 21st February, 1932. We do not, at present, know what exactly will be the relations between the Federal and the Provincial Governments. Will the former have any right to interfere in provincial matters and if so to what extent and in what respect? What authority, if any, will it exercise on the provincial executive? What form will the legislature of the province assume? Will it be bicameral or unicameral and, if it is bicameral, what will be the respective powers of the two chambers?

So far as we are concerned we are unable to contemplate a constitution for these provinces without the inclusion of a second chamber. Both our government and the committee appointed by the elected members of the local Legislative Council to co-operate with the Statutory Commission have recommended the creation of a second chamber and this recommendation has been accepted by the committee of the Central Legislature.

We strongly hold that with the contemplated wide extension of the franchise there will be no stability of administration or adequate security for established rights if the Government of the province is to be guided entirely by a single popularly elected chamber. We have to remember that the franchise is to be extended from about 3½ per cent. of the population to at least 10 per cent., that large numbers of women are to get the vote and that even persons who do not get a direct vote are to be placed in a position to enable them to influence elections. All these measures are admittedly experimental and educative. The new electorate will provide ample ground for political intrigues. There will be no official *bloc* to act as a brake. The established order is sure to be challenged at every step. To meet the situation some means must be found for correcting mistakes and checking hasty and ill-conceived legislation which may lead to disastrous consequences. We are deeply interested in the prevention of hasty action and we have reason to hope that our interests will not be regarded as insignificant. We must, therefore, claim a second chamber as well as adequate representation in the Lower House.

We are unable to rely upon the emergency powers of the Governor. These will naturally be exercised on rare occasions and they are not likely to be exercised against popular clamour.

We do not consider it to be a justifiable argument that a second chamber composed of the holders of vested interests will stand in the way of legislation affecting those interests. The experience of the last twelve years belies that apprehension. Although the councils during that period were dominated by landlords, very important tenancy legislation and measures of additional taxation have been passed.

The second chamber will be no less interested in the peaceful administration of the province and there is no reason to apprehend that it will fail to discharge its duty in that respect. Our main industry is agriculture. The vested interests are also chiefly those of agriculturists, in which category not only the great baronial proprietors but also the small zemindars and tenants are included.

The no-rent campaign and the Communist propaganda which has recently been carried on by the professional politicians is a sufficient forecast of what will happen in the future. We are not afraid of our tenants but of their exploitation for the purpose of capturing their votes. These are days of Bolshevism and it has often been prophesied that the Russian revolution will do for the East what the French Revolution did for the West. Indeed Russian ideals have already begun to pervade India. In such troublesome times our interests need the greatest amount of protection.

It must also be noticed that second chambers are known to every organised and stable political system throughout the world except to such as

owe their origin to the stress of war or revolution. All that we claim is that that example should be followed.

We would suggest that the electorate returning members to the Upper House should be confined to persons paying more than Rs. 2,000 per annum as land revenue or income tax on an income of Rs. 5,000. We would, however, urge that organised bodies like the British Indian Association of Oudh and the Agra Zamindars Association should be recognised as special constituencies.

As regards the Lower Chamber we strongly support the recommendation made by the committee of these provinces and by the committee of the Central Legislature appointed to collaborate with the Statutory Commission that defined classes of landlords should continue to have special representation. In view of the serious attacks that have been repeatedly made on our interests by a class of politicians in the form of deliberately excited campaigns of no-rent we cannot feel that our interests will be safe without a reservation of seats for us in the Chamber whose power ultimately will necessarily be irresistible. The main struggle between us and those who are opposed to our ancient rights and whose aim will be to supplant us in our influence with our tenants, will be in the Lower House and we will, therefore, not be able to defend our rights effectively unless we have a substantial and definite voice to influence the deliberations of that house. A second chamber alone can be of no effective help to us. Nor, with the organisation on party lines of other classes greatly in excess of our own, can we leave our vital interests to the chance of our securing seats in the popular chamber through the general electorate. We would, therefore, urge that our Association should be allowed 5 per cent. of the total number of seats in the Lower Chamber. This is only a very slightly higher figure than that recommended by the Central and Provincial Committees appointed to co-operate with the Simon Commission. Those committees recommend an equal number for us and for the Zamindars of the Agra Province. We are far from grudging any increase of representation in favour of our brother landlords of Agra, but we must submit that no such increase should be allowed at the expense of our own proportion mentioned above. It should be borne in mind that the zamindars of Agra have an important advantage over us in that they are, proportionately to the non-zamindar population, much more numerous than ourselves and they will, therefore, have considerably greater chances of securing additional seats through the general electorates.

We would further urge that non-taluqdar zamindars of Oudh should at least have one seat reserved for them as has already been recommended by various authorities.

We wish to make it clear that the special representation which we claim is over and above the seats which we may be able to secure through the general electorates.

We think that the system of election which should be adopted for choosing these special representatives should be the single transferable vote according to the system laid down in the rules of the Provincial Legislative Council. This will give an opportunity to every shade of opinion to be represented.

So far as representation in the Federal Legislature is concerned we would suggest the continuance of the present system for the landlords of the various provinces. The few landlords that thus get in will serve as experts in matters connected with land and agriculture.

We will now set out our answers to the remaining questions contained in the questionnaire.

I.—PROVINCIAL LEGISLATURE.

1. EXTENSION OF THE FRANCHISE.

(*a*) The franchise can be extended so as to include 10 per cent. of the population by lowering the property and educational qualifications, by giving

Memorandum by the BRITISH INDIAN ASSOCIATION of Oudh. [*Concluded.*

women the vote in larger numbers and by adding to the electoral roll some persons selected according to the group system.

(*f*) We are in favour of allowing persons who have not got a direct vote to have some share in the election and we are of opinion that the group system would be the best way to provide for this. The representatives chosen by each group should be put on the general electoral roll and they should have the right of voting in the same constituencies as the directly qualified electors.

(*g*) We are not in favour of separate electorates for group voters.

(*h*) We think that the existing qualifications of the voters should be lowered and that extensions of the electorate should be effected as far as possible in the manner mentioned in question (*f*).

(*i*) The suitable size for each group of electors will be 25 adults. Each group should elect a representative. The task of forming the groups should be assigned to the lambardar of the village and he should be directed to work on a geographical basis.

(*j*) No special qualifications should be required for the representatives of the out-groups.

2. FRANCHISE QUALIFICATIONS.

(*c*) We think that the possession of property of some kind is one of the suitable tests for fitness for the franchise. The existing property qualifications are too high. We think that every one possessing any proprietary rights in land should be entitled to vote. The qualifications of tenants, under-proprietors and other persons who pay rents should also be lowered.

(*d*) We are in favour of having a qualification based on education independently of property. In our opinion all persons who have passed at least the lower middle or who possess some qualification equal to this should have the right to vote. In the case of women literacy alone should be the test.

3. WOMEN'S SUFFRAGE.

(*a*) We think that besides the women who get a vote by virtue of their own rights under the same rules as are applicable to men, all women whose husbands are entitled to vote should also be enfranchised provided that they are above 21 years of age. As far as educational qualifications are concerned literacy alone should be the test for women and all literate women above 21 years of age should get the vote.

(*b*) Women also should be included in the groups but separate groups of men and women should not be formed.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

We consider that only untouchables should be included among the depressed classes and their number in these provinces is so small that their separate representation is not desirable.

Memorandum submitted by the AGRA PROVINCE ZAMINDARS' ASSOCIATION, Allahabad.

I.—PROVINCIAL LEGISLATURE.

1. EXTENSION OF THE FRANCHISE.

(*a*) In the opinion of the Agra Province Zamindars' Association, Allahabad, the franchise for the Provincial Legislature should be immediately extended so as to include at least 10 per cent. of the population in the

Memorandnm by the AGRA PROVINCE ZAMINDARS' ASSOCIATION, Allahabad. [*Continued.*

electoral roll. They think this can be done by extending the present existing franchise and making the amount of rent paid by the tenants and land revenue paid by the zamindars still lower, *viz.*, from Rs. 50 to Rs. 25 in case of tenants and from Rs. 25 to Rs. 12-8-0 in case of the zamindars as revenue.

(*b*) & (*c*) Yes.

(*d*) Does not arise.

(*e*) The answer has been given under (*a*) already.

(*f*) Keeping the franchise of the adult voters at 10 per cent. as our goal, we are in favour of direct voting rather than formation of groups, and in case the grouping is found indispensable even then we are for every adult qualified under the new condition imposed being eligible for direct voting rather than indirect.

(*g*) Does not arise.

(*h*) We recommend that besides the qualification of certain amount of rent or revenue, education should also be added as qualification and to start with, we recommend the vernacular middle class as qualification.

(*i*) & (*j*) Does not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) In our opinion there is a marked disparity in the operation of franchise qualification in urban areas as compared with the rural ones, but we are convinced that the educational qualifications recommended by us in the urban areas would balance the disparity in rural areas to a large extent.

(*b*) Assuming that the communal electorates, howsoever undesirable it may be, cannot be dispensed with at this moment, in our opinion, each community (excluding castes and sub-castes rigidly) should be given voting strength strictly proportionate to its numbers and to bring about this result it would be perhaps necessary to lower the franchise.

(*c*) As long as India cannot enjoy the advantages of the adult suffrage in full in our opinion the property qualification should contiue to form the suitable test of fitness for the franchise, but in order to enlarge the existing franchise this should be lowered as has already been suggested under (1) (*a*) Provincial Legislature.

(*d*) We are strongly in favour of making educational qualifications quite independent of property and to begin with we recommend lower middle class.

(*e*) We recognise that the approved military services should be counted as a qualification, but we feel that because the doors of these services have been practically shut against the masses, allowing only a limited number of our countrymen (who had not been given the pseudo-surname of military class), it would be very unjust if the Auxiliary and Territorial Forces, entry to which is rightly only subject to physical qualification, are not included.

3. WOMEN'S SUFFRAGE.

(*a*) The association is in agreement with the recommendations of the Statutory Commission as regards the extension of the franchise to the wives and widows of the men entitled to vote under the property qualification and in addition we recommend that the educational qualification prescribed for the men should also apply to the women. As regards age, we recommend that there should be uniformity for both the sexes, *viz.*, 21 years.

Memorandum by the AGRA PROVINCE ZAMINDARS' ASSOCIATION, Allahabad. [*Concluded.*

(*b*) We have already expressed ourselves against the group system, but in case they are indispensable, in our opinion women's group should be entirely separate from men.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

We consider it indeed deplorable that the depressed classes should continue to be branded as untouchable and kept separate in water-tight compartment. Believing in the future progress of our country on sound lines, as has already been proved by joint declaration of Dr. Moonje, the great representative of the Hindu Maha Sabha, and Mr. Raja, representing the depressed classes, supporting joint electorate, we are dead against keeping a separate electorate for the depressed classes, but in order to secure a safeguard for their due representation we strongly recommend the reservation of certain number of seats for them through joint electorates.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

(1) The total number of seats for the landholders and taluqdars in the Provincial Council should be 12 with a strength of 150 or above. In the Council of State or Federal Upper Chamber consisting of 80 or above three seats should be allotted for the Agra Province zamindars and taluqdars of Oudh, *viz.*, two for the Agra Province Zamindars' Association, and one for the British Indian Association of Oudh. In the Federal Legislative Council with a strength of 200, six seats should be allotted for the landholders of the Agra Province and taluqdars of Oudh, *viz.*, four for the Agra Province Zamindars' Association, Allahabad, and two for the British Indian Association of Oudh.

(2) Considering that the British Indian Association of Oudh which pays only one-third of the revenue and has already been enjoying the privilege of sending four representatives to the Provincial Legislature directly, the Agra Province Zamindars' Association which pays two-thirds of the revenue should at least be given the privilege of sending at least eight representatives and the British Indian Association of Oudh four. In view of the fact that the number of the members of the Agra Province Zamindars' Association paying Rs. 5,000 and over far exceeds the number of the British Indian Association of Oudh, it is claimed that eight seats should be allotted to this association. The Agra Province Zamindars' Association itself should form a special constituency and should return representatives to different Legislatures directly.

(3) Supposing the Agra Province Zamindars' Association has to elect eight members, the voters will not be allowed to give more than one vote to each member and the first eight candidates securing the largest numbers of votes will be deemed to have been elected.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) We agree with the proposal.

(*b*) In our opinion the franchise qualifications for the Federal Legislature should be higher than the Provincial Legislature.

(*c*) In our opinion, at least 5 per cent. of the population should be enfranchised in order to increase the electorates for the Legislative Assembly and in order to minimize the difficulties of the election campaign, we would suggest reducing the territorial areas, and with this object in view, we recommend an increase in the number of seats in the Lower Federal Chamber rather than support indirect election.

Memorandum submitted by the UNITED PROVINCES ZAMINDARS' ASSOCIATION, Muzaffarnagar.

I.—PROVINCIAL LEGISLATURES.

1. Extension of the Franchise.

The United Provinces Zamindars' Association, Muzaffarnagar, agrees with the views of the Franchise Committee of the Round Table Conference that adult suffrage should be the goal which should ultimately be attained in the Indian constitution. Ten to 15 per cent. of the population should be at once enfranchised but provision should be made in the constitution whereby Provincial Legislature should have power to extend the franchise to such an extent as it may deem expedient. If this may not be found possible then the constitution should itself provide for an automatic expansion of franchise at the expiry of every term of the Provincial Legislature. For instance at the expiry of each term additional 10 per cent. of the population may be added to the electorate till adult franchise is reached. In this way in the course of about 20 years the goal of adult franchise will be reached.

(*a*) At present the total electorate is only 3·5 per cent. of the total population of the province. If the qualifications of a voter are lowered to the extent of half the existing qualifications, *viz.*, Rs. 25 land revenue instead of Rs. 50 and Rs. 12-8 as rent instead of Rs. 25 and if an independent minimum educational qualification is also prescribed, it is expected that from 10 to 15 per cent. of the population will be enfranchised in this way.

(*b*) Yes. The experience of past elections shows that a larger number of voters has gone to the polls at every successive election. Of the male electorate the percentage rose from 33 per cent. in 1920 to 51·6 per cent. in 1926, and of women from 2·8 per cent. in 1923 to 10 per cent. in 1926. Further the figures of amount spent by candidates on the different elections also show that larger amounts of money have been spent for canvassing and this has naturally led to the education of the electorate. The limited extent of corrupt practices in connection with the election in these provinces also points in the same direction. Under our proposals a considerable number of educated persons will be added to the list of voters and they will improve the outlook of the whole electorate and make the vote even more intelligent than at present.

(*c*) Yes. By increasing the hours of voting and by adding to the number of polling stations by about 20 per cent. and by spreading elections over two days instead of one, more than four times the existing number of electors can easily be managed.

(*d*) & (*e*) Do not arise.

(*f*) The association is not in favour of indirect voting through groups. Voting through groups will not be representation of the various interests composing the electorate. Further voting through groups will unnecessarily delay and retard the political education of the electorate. Apart from that it does not seem to possess any special advantage in the matter of training the primary voter, who may possess no qualification, either of that of property or education. Such a system will not establish any direct relation between him and the candidate for the Provincial Legislature and will not thus develop in him a sense of responsibility. Perhaps its only advantage will be to benefit the candidate with the longer purse as against that of average means. If, however, it is considered desirable to try the system of indirect election as an experiment, the association would be in that case wholly against any groupings based on mere considerations of caste or community. The association would favour the groups to be composed of residents of territorial areas, each such group to comprise all the persons living in a territorial area. Every member of the group should be

Memorandum by the UNITED PROVINCES ZAMINDARS' ASSOCIATION, Muzaffarnagar. [*Continued.*

eligible to become a representative of the group without any extra qualification and voter should be eligible to stand as a candidate.

(*g*), (*h*), (*i*) & (*j*) Do not arise.

2. FRANCHISE QUALIFICATIONS.

Under the present franchise there is a marked disparity in the operation of the franchise qualifications in urban as compared with the rural areas. Approximately 3 per cent. of the rural population is enfranchised as against 10 per cent. of the urban population. But *vide* our proposals under sub-head (*a*) of section 1, this disparity will be considerably removed because the lowering of the rent and revenue limits to the extent of half and adding an independent minimum educational qualification will greatly increase the number of rural voters.

(*b*) It is very proper that the numerical strength of each community should be reflected in the electorate but unless adult franchise by some means or other is introduced it seems rather difficult to work up to this principle. Fortunately in our province the voting strength of each community is more or less proportionate to its members. The non-Muhammadans form 85·4 per cent. of the population and their voting ratio is 86 per cent. The Muhammadans form 14·3 per cent. of the population and their voting ratio is 14·1 per cent. Europeans have a population ratio of ·05 per cent. and their voting ratio is ·3 per cent. (*vide* page 146 of the Simon Report, Vol. I). Under the new proposals it cannot be said how the various communities will be reflected in the electoral list. If there is a joint electorate for all the communities then it will be desirable to adopt such means as may enable each community to get a voting strength proportionate to its number. But in case of separate electorate it is not of much consequence if this principle is adhered or not.

(*c*) Really speaking possession of property is not a suitable test of fitness for the franchise but during transition period until adult franchise is reached a lower property qualification can be adopted as a workable basis. The existing property qualification is rather high and should be modified as proposed in sub-section (*a*) of section 1.

(*d*) We are in favour of introducing a qualification based on education independently of property and the minimum standard should be fixed at the lower vernacular middle and lower English middle.

(*e*) The association is not in favour of retaining the existing military qualifications but if it is going to be retained service in the Auxiliary and Territorial Forces should also be included.

3. WOMEN'S SUFFRAGE.

(*a*) Till adult franchise is attained women should be entitled to get a vote if they possess the minimum property and educational qualifications as fixed for men and also wives and widows of men entitled to vote and the age for women should be the same, as for men, *i.e.*, 21 years.

(*b*) If group representation is established then mixed groups of men and women should be formed.

(*c*) The association is opposed to the system of co-option.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The association is opposed to the proposal of giving separate electorate to the depressed classes because in this way the backwardness of these classes will be perpetuated for ever and the depressed classes will not be able to shake the shackles of untouchability. In order to give these classes due representation in the Legislatures the association recommends that

Memorandum by the UNITED PROVINCES ZAMINDARS' ASSOCIATION, Muzaffarnagar. [*Continued.*

seats may be reserved for them on population basis through joint electorate. In this connection the attention of the Committee is specially invited to para. 79 of volume II of the Simon Commission Report.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

The Association claims special representation for landholders and is not opposed to the giving of special representation to other special interests.

In the Minto-Morley Reforms special representation was definitely conceded, and they formed a fourth of the strength of the elected members. In addition, a considerable number of landlords were nominated. This right was recognized and confirmed by the Montagu-Chelmsford scheme of Reforms. Attention is invited to the very cogent reasons given in the report on constitutional reforms of Mr. Montagu and Lord Chelmsford for the special representation of this class. It is to be remembered that the interests peculiarly affecting this class are still under the control of Executive Councillors and not popularly elected Ministers and that they form a reserved subject. If it is further remembered that there is a considerable official *bloc* in the Councils which is expected to hold the balance even between conflicting interests, it will be clear how much more necessary it is, under the proposed scheme of provincial autonomy, to give adequate representation to landlords.

The association submitted a memorandum to the Simon Commission also and in that memorandum it explained at length the claims of landlords for special representation and also the necessity of such representation in the new Legislatures. But unfortunately the Simon Commission recommended, that in the future constitution landlords should not be given any special representation. In arriving at this conclusion they were mainly influenced by the large number of zamindar members in the then Provincial Councils. But a glance at the composition of the United Provinces Legislative Council shows that the number of zamindar members was less in 1929 than in 1923. Further the preponderance of zamindar element should not be taken as a guarantee that a zamindar will be returned in future from general constituency, as a very serious situation may develop in the countryside among the rural masses at any time. By claiming special representation the landlords are simply anxious to have a certain number of their real spokesmen because those members who are elected by general constituencies may prove to be unrepresentative of the landholding interest.

The landlords are willing, nay, eager to work for the well-being of their country and for its constitutional advance, and do not view with dismay the coming changes. On the contrary they welcome this. Before, however, they agree, they want an assurance that their interests will be safeguarded. They regard special representation as one of the means to this end.

The Provincial Governments with singular unanimity and the Government of India in their Despatches on the Simon Commission Report differed from this view of the Commission and strongly recommended for special representation for landlords. The following words of the United Provinces Government in its Despatch no. 4949-C., dated 23rd of August, 1930, are very pertinent in this connection:—

"It is almost inevitable that, as the electorate gains political experience, it will tend to prefer representatives drawn from sources other than the great landed families and the need for special representation is likely to increase rather than decrease. This Government are unanimously and strongly in favour of the retention of the great landholders at the existing ratio."

The Simon Committee of the United Provinces Legislative Council gave this question great thought and arrived at the conclusion that in a Lower House of 182 members 16 should be representatives of landlords and the same proposal was unanimously adopted by the Indian Central Committee.

Memorandum by the UNITED PROVINCES ZAMINDARS' ASSOCIATION, Muzaffarnagar. [*Continued.*

For electing these representatives both the Committees suggested that the three existing associations of zamindars, *viz.*, the British Indian Association, Lucknow, the Agra Province Zamindars' Association, Allahabad, and the United Provinces Zamindars' Association, Muzaffarnagar, should form constituencies for electing eight, six and two members respectively.

The association reiterates before the Indian Franchise Committtee the recommendation of these Committees that out of 182 the zamindars should have the right of electing sixteen members and the constituencies for electing their members should be the three existing associations, but the United Provinces Zamindars' Association, Muzaffarnagar, in view of its longstanding and representative character, claims the right to elect at least four members out of eight from the Province of Agra, and not only two as proposed by hte abovementioned Committees, because the rights of the association are not inferior to those of the other sister associations.

If the number of members in the Lower House is increased then the number of landholder representatives should also be proportionately increased.

If a second Chamber (on which question we will refer later) is established in these provinces and also in both the houses of the Federal Legislatures a proportionate representation should be given to the landlords and be elected respectively by the three landholders' associations.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

We endorse the proposal of indirect election through Provincial Legislatures for the Upper House and direct election for the Lower House.

(*b*) We think that the franchise qualifications for the Federal Legislature should be higher than the Provincial Legislatures. The association thinks that the present franchise qualifications of Provincial Legislatures should be fixed for the Federal Legislature, *i.e.*, payment of Rs. 50 as rent and Rs. 25 as land revenue and Rs. 36 as house rent and so on.

(*c*) The association does not favour indirect election for the Federal Legislature and proposes that the members to the Lower House should continue to be elected by direct election as at present. The association thinks that 50 seats should be allotted to the United Provinces instead of 32, *i.e.*, one seat for a million inhabitants. If the proposal of the association as regards franchise is adopted, the total number of voters will be about a million and a half or 30,000 for one seat. An electorate of this size will be administratively manageable and there will not be much trouble in canvassing and maintaining contact with constituents for candidates.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

All these interests including the landholders' interests should be represented in the Federal Legislature in the same proportion as the Provincial Legislatures.

8. GENERAL. SECOND CHAMBER.

In the United Provinces the zamindars possess a great stake. In view of alarming statements by responsible persons aiming at expropriation of landlords the zamindars must naturally insist on the creation of second Chamber so that there may be a check on the popular house and their interests be safeguarded from the impulses of the moment. The association is emphatically of opinion that the second Chamber should be created in this province and effective representation given to them in this Chamber.

Memorandum by the UNITED PROVINCES ZAMINDARS' ASSOCIATION, Muzaffarnagar. [*Concluded.*

The franchise which the association would recommend for voters of this House in the United Provinces is payment of land revenue to the extent of Rs. 2,500 per annum or payment of income tax on an income of Rs. 5,000 a year and an independent academic qualification. It is further proposed that this House should also be a purely elected House without any official *bloc*.

The Hon'ble Raja Sir RAMPAL SINGH, Representing the British Indian Association of Oudh.

Major D. R. RANJIT SINGH, Representing the Agra Province Zamindars' Association, Allahabad.

Lala HARI RAJ SWAROOP, M.A., LL.B., M.L.A., Representing the United Provinces Zamindars' Association, Muzaffarnagar.

The Chairman, addressing the Chairman of the Provincial Committee, said that they were all aware of the fact that there had been controversies between landlords and tenants in the past and that some sort of disagreement still existed but that the Indian Franchise Committee were only concerned with the extension of the franchise and he did not think it would serve any useful purpose to delve into past history. The Chairman of the Local Franchise Committee agreed.

1. *The Chairman:* I understand to-day the landholders have 6 seats in the Provincial legislature which consists of 123 members of which 100 are represented; and the British Indian Association has 4 of these seats; the Agra Zamindars have two?—(*Lala Hari Raj Swaroop*). The last two are not given to the association itself but these two have to be elected by the general constituency while the British Indian Association elect their own representatives.

2. You mean the British Indian Association elect their own representatives, 4 in number?—Yes: they have a membership of 447, while in Agra Province it is 535.

3. The British Indian Association elect 4 members to the Provincial legislature and I understand the ground upon which it is conceded to them is due partly to their history and partly that they own ⅓rd of the land and ⅛th of the revenue. That is the broad claim upon which the landlords have been enfranchised?—(*Raja Sir Rampal Singh*): Yes; besides that we have got a special status. The whole history of our community will show that we have special interests and we have been doing a lot of public service to these provinces. Our status is somewhat different from that of other zamindars who have the vote. We identify ourselves with other zamindars so far as agricultural interests are concerned only but in certain other respects we do claim representation and special regard for our status and position. We were given our Sanads and certain rights were guaranteed to us long ago.

4. In the time of Lord Canning?—Yes, and from time to time those privileges and rights were accepted by high personages and Royal guests.

5. I understand your proposal is, in view no doubt of the fact that the franchise is going to be extended, that you should receive 5 per cent.?—That is the most modest demand. At present we are enjoying 4 per cent. and for the future we claim and demand 5 per cent.

6. If the legislature is 250?—We claim 12 seats.

7. You propose that they should be distributed equally between Agra and Oudh?—We have nothing to do with Agra; they will put in their claim. This is the claim of the British Indian Association.

20th March, 1932.] Hon'ble Raja Sir RAMPAL SINGH, Major D. R. RANJIT SINGH & Lala HARI RAJ SWAROOP. [*Continued.*

8. You also ask one seat for the non-talukdar zamindars?—Yes.

9. How do you propose that that should be elected?—Some franchise will have to be fixed. At present, of course, no zamindar association exists; although we have established branches of our own association in a few districts, still they are unorganized. So you will have to provide a special electorate for that one seat.

10. Can you tell me how the British Indian Association with its 447 members actually elects to-day? What is the actual process?—Up to the present the system was that every member had 4 votes, one for each candidate. We have now suggested that the single transferable vote would be the better system so that all communities may have the right to come in.

11. (*Addressing Major D. R. Ranjit Singh*): You say you ought to get bigger representation on the ground that you pay ⅛rd of the revenue of the province and that your members are 535 as opposed to 447?—Yes.

12. What is the number of the Muzaffarnagar landlords?—475.

13. Are you registered under the Societies Registration Act?—(*Lala Hari Raj Swaroop*): Yes.

14. You want 16 seats out of a house of 182?—Yes, for all the landlords.

15. You want two of those for Muzaffarnagar?—No, I want 25 per cent.

16. *Mr. Chintamani:* At present everyone of the members of the Association has 4 votes in the election of members to the Legislative Council?—(*Raja Sir Rampal Singh*): Yes.

17. According to your poposal for the future, on the assumption, as you said in answer to the Chairman, that the Council would consist of 250 members, everyone of the members will have 13 or about that?—Yes.

18. You are aware that in no other constituency in the province or in the whole of the country is to be found, a single voter being allowed so many votes in addition to the general vote?—A great deal depends upon the constitution of the constituency. At present we are getting 4 per cent. I don't see any reason why in future we should not get more representation.

19. I quite understand your point. Can you enlighten me whether my information is correct that in the whole country there is no other constituency where plural voting is allowed to that extent?—(*Lala Hari Raj Swaroop*): There is, for example, the Commerce constituency?—the Upper India Chamber.

20. They have 13 votes?—They have more than 1.

21. There is a great difference between more than one and a hundred. Will you be able to tell me what is the number of zamindars of Oudh who are not Taluqdars?—(*Raja Sir Rampal Singh*): I can't tell you.

22. Can you tell me what is the number of those who pay land revenue of 5,000 or more?—Once I contested a seat for the Council of State and as far as I remember the number of such zamindars would be about 150 or 200.

23. You have in your memorandum said that zamindars of Oudh who are not Taluqdars should be allowed to have one seat reserved for them. You mean all zamindars, or those who come under this category judged by the same test as in the case of Agra?—I mean all zamindars.

24. The number of such landlords who are not Taluqdars is much larger than the number of those who are Taluqdars?—Yes.

25. Your proposal is that all those landholders who are not Taluqdars, much larger in number, should have one seat, whereas the British Indian Association should have 13?—Surely, because we claim a different status altogether. Our land tenure is quite different. Our law of inheritance is quite different from theirs. Our status is quite different from that of my brother zamindars.

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26. And you wish to make it clear that this representation which you claim is over and above the seats which you may be able to secure through the general electorate?—Yes.

27. And in addition to your proposal relating to the Second Chamber and its composition?—Yes.

28. In your answer to 2 (*c*) under Franchise Qualifications, you give your definition of property. You say " we think that the possession of property of some kind is one of the suitable tests for fitness for the franchise. The existing property qualifications are too high. We think that every one possessing any proprietary rights in land should be entitled to vote. The qualifications of tenants, under-proprietors and other persons who pay rents should also be lowered." Here you have not taken account of those who pay income-tax or who are in receipt of certain wages. May I take it that that is a mere omission?—Certainly, it is an omission and they should be included.

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29. *Lord Dufferin:* You require special representation because you don't expect to get elected through the general constituency in any large numbers? —(*Major D. R. Ranjit Singh*): That is so.

30. Would I be right in saying that the small zamindars who do not belong to your Association have got quite a good chance of getting into the Councils? —I am sure they would have quite a good chance. But the same forces which are opposing us will oppose them. They will have some difficulty. The present forces are opposing the zamindars as a whole and not of Agra Province only.

31. If that is so, you must give them sufficient representation?—I have said we won't grudge their getting one or two seats.

32. Am I right in saying that your Association looks after the interests of these big zamindars, taluqdars and landholders?—I claim further. We also look after the interests of the tenants.

33. So would you be justified in saying that these landholders who are not members of your Association take all the benefits which your Association can give them in the way of right of representation and yet are not prepared to pay their subscription? Therefore you feel that if they do not pay their subscription, it is quite right that they should not have a vote. Is that right? —I have just said that out of the 700 zamindars who pay land revenue of Rs. 5,000 and over we have got 535 on the roll and more are coming on the roll.

34. *The Chairman:* What is the qualification for membership?—Rs. 5,000. (*Raja Sir Rampal Singh*): All those whose names were entered in the taluqdars list in 1867 are qualified to become members of my Association.

35. Irrespective of the revenue that they pay?—Irrespective of that. They were granted *sanads* by the British Government in the revered memory of Queen Victoria and they were all entered in the list. Their inheritance and their status is governed by that Act.

36. What is the qualification for the Agra Association?—(*Major D. R. Ranjit Singh*): Zamindars paying a land revenue of Rs. 5,000 and over. Besides that we also take those who are not paying that much revenue but yet are important members of the community and have proved their merit by taking interest in the work.

37. Anybody paying Rs. 5,000 *ipso facto* becomes a member?—Yes.

(*Lala Hari Raj Swaroop*): We have fixed the subscription at Rs. 6 and Rs. 12 a year. Every landholder paying that subscription is entitled to become a member.

38. What is this distinction?—Big zamindars pay Rs. 12 and small zamindars pay Rs. 6.

39. *Lord Dufferin:* Am I right in saying that you give the vote to every zamindar who can afford a subscription of Rs. 6, and Rs. 12 in the case of big zamindars, every year? There is a difference between the interests of the small zamindars and big zamindars?—There is no difference betwen the big landlords and the small landlords. Their interests are identical.

40. Is it or is it not a fact that the political activities in this province have definitely been either communistic or anti-landlord in character? That is the definite trend of politics in this province.—There is some tendency.

41. That is not the general tendency?—No.

(Major D. R. Ranjit Singh): We differ from our colleague. That is so. During the last year there has been a lot of no rent campaign.

42. Therefore the landlords of this province have most reason to fear as to what will happen in the future?—We have.

43. *Dr. Ambedkar:* I find in the Report of the United Provinces Government submitted to the Simon Commission an analysis given of the elected members of the Legislative Council since 1921. I find that in the first Legislative Council the landholders have 46 seats, in the second 51 and in the third 45. You accept that as correct?—Absolutely.

44. You still say that you are under-represented?—Looking to the forces that are opposing us and our personal experience we do think that there are real reasons to fear that we will not get our share in the future constitution.

(Raja Sir Rampal Singh): The thing is this. This country was not well acquainted with the democratic system when these reforms were introduced. Of course we could carry our tenants with us in the first election. The Congress did not take any part in those elections. In the next election they took part and the result was that we did not get so many seats. Some persons who really did not deserve to be elected in comparison with others were elected and came into the Councils. We have now got the experience of two or three elections. In future there will be no place for us. Of course, we will try our best to secure the sympathies and the votes of our tenants but they will be carried away by the no-rent campaign and things like that. I don't think that tenants will be ready to support our candidature. For these reasons and also for the reason that we have got a stake in the country, a very great stake in the country, it is desirable in the interests of good government some of us should remain on the Councils to represent our own interests and also the interests of the country, which my Association has always been trying to do since the advent of the British rule. There are records showing that we have been serving the public, the Government and our own interests. I may also point out that there is a section of people who are against us simply because we have been the allies of the Government. We were the allies of the Government because it was a constituted Government and we will be the allies of the Government that may be formed in future because on tranquillity, peace and prosperity our own interests depend. It is for that reason that we are anxious that our representation as a special interest should be continued.

45. The point I was suggesting was that as a matter of fact you have far greater representation than you would get by your reserved quota?—First of all we do not expect that the same thing will continue and that the tenants will remain as amenable as they have been up to this time. Secondly, we have special interests to protect.

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46. *Mr. Butler:* The point that Lord Dufferin was making about the difference between the smaller and the bigger zamindars was on the ground?

20th March, 1932.] Hon'ble Raja Sir RAMPAL SINGH, Major D. R. RANJIT SINGH & Lala HARI RAJ SWAROOP. [*Continued.*

that there is a difference between smaller interests and larger interests and therefore there is a basis for differentiation in these?—(*Major D. R. Ranjit Singh*): I don't think there can possibly be any difference of interests between the landlords. The landlords are only anxious to maintain their status and privileges that have been conferred on them for 50 years back.

47. I am talking of differentiation of representation between the bigger and smaller landholders. I am asking you whether it would not be quite natural considering the difference between the two?—(*Raja Sir Rampal Singh*): There is some differentiation possible in our position. We enjoy a different status from other zamindars of Oudh. Although we are landlords and they are also landlords yet our position is something different. They do not enjoy their property under the *sanads* granted by the British Sovereign while we do. Our law of inheritance and their law are different. Some years ago we got a law passed that we should get our property settled. That was not the case with the other zamindars. In some of these respects, of course, we do differ from them, but as far as agricultural interests are concerned we are one and the same.

48. What is to be the electing body?—(*Major D. R. Ranjit Singh*): The electing body should be our Association and we have asked for 6 seats.

49. In asking for six seats, you contemplate the constitution of a second chamber for this province?—Yes.

50. The British Indian Association is of the same view?—Yes.

51. They also base their claim on the understanding that there will be a second chamber?—(*Raja Sir Rampal Singh*): Yes.

52. *Lord Dufferin:* You say in your memorandum that with the extension of the franchise there will be no stability of Government. What are your reasons for thinking so?—Within the last two years we have found that things have been drifting gradually towards what I may call Communism and Bolshevism. If you extend the franchise to a very large body of persons who have no property, there is some fear that the members having communistic tendencies might be elected in very large numbers. That is the view of our Association. Of course, in the beginning, it is our idea that we must proceed gradually and cautiously. But that does not mean that the franchise should remain limited as it is. All the same all of a sudden to fix the franchise too low would seem to be dangerous. That is the view of our Association.

53. You would like to feel your ground before you take a second step?—Yes. That is what we want.

54. In your memorandum you say that the new electorate will provide ample material for political intrigues. Will you explain what you mean by that?—We mean simply that those who come into the legislative councils should be men with sober views. It is the experience of all those who reside in rural areas that often men who have no status have become leaders in villages, simply because they can talk all sorts of useless and nonsensical things. It is our fear that through them and through their influence, it is quite possible that some persons might be returned to the councils who may not be men of sober minds.

55. You think that an extension of the franchise would lead to deterioration in the quality of members?—I do not mean that. Franchise should be extended, but only on property and literacy qualifications. Of course, we do not want that franchise should be given to one and all.

56. If you include property and education among the qualifications or as the only qualifications for the franchise, then what section of the population would you exclude from the franchise?—There are many sections who have very little property.

57. You include property as a qualification for the vote?—I do not propose that any man with a *bigah* of land should be given the franchise.

58. Do you mean to say that only those who have got substantial property in the country should be enfranchised?—Yes. In rural areas those who pay a sufficient amount of rent or revenue or those who are paying a decent sum as income-tax should be enfranchised.

59. You say that you are unable to rely on the emergency powers of the Governor. Why is that? Do you think that a second chamber will give you more protection than the emergency powers given to the Governor?—Well, we do think so. We do not want that the Governor should be troubled with the distasteful necessity of having to exercise the vetoing power. If he does so there will be public clamour. What we therefore want is that there should be a machinery of sober-minded men who may exercise influence upon the Lower House.

60. Don't you think that if the franchise is extended, the second chamber would also largely represent the popular feeling in the country?—I should like to know how that would result. We have recommended that people with substantial property qualification only should be given the vote for the Upper House.

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61. *Sir Sunder Singh Majithia:* It appears to me that the landholders as such were not properly organised before and that they are now trying to organise themselves through their Association. I understand that the Agra landholders have organised themselves on a statutory basis so as to be able to better safeguard their interests?—(*Raja Sir Rampal Singh*): As far as the British Indian Association is concerned, it was organised 70 years ago.

62. I quite realise that. My friends from Agra have only recently organised themselves?—They are now organising themselves in order to safeguard their interests.

63. They do so with the idea that hereafter they will be better able to look after their interests?—Yes.

64. It has been suggested that you as landholders wish to have a sort of second representation by being allowed to take part in general elections from the general constituencies. Perhaps you realise that the depressed class people, if they got separate representation, would be in the same position as yourself in that they will stand for election from the general constituencies as well?—I do not think so.

65. You get representation for your Association. Besides that you want the right to stand from general constituencies also?—Yes.

66. Similarly, depressed classes are trying to get representation through separate electorates and also right to contest elections from general constituencies?—We feel that if we stand from the general constituencies, the representatives coming through that channel would be better able to adjust the relations between the tenants and the landed classes. They will be there to safeguard the interests of both.

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67. *Mr. Tambe:* There is no ryotwari system in the United Provinces?—(*Major D. R. Ranjit Singh*): Except perhaps in one district, Naini Tal.

68. May I take it that 99 per cent. is talukdari or zamindari and only 1 per cent. is ryotwari?—Yes.

69. Is there any zamindar or talukdar who pays less than Rs. 10 as revenue?—Possibly there are many of them like that. I could not give you

the exact percentage. About 80 per cent. of the zamindars pay less than Rs. 50 as revenue.

70. Would there be any zamindar or taluqdar who is paying less than Rs. 10?—There will be many.

71. The lambardar of every village is a member of the proprietary body?—Yes.

72. So, every talukdar or zamindar will pay Rs. 10 and get a vote under the proposed franchise?—Yes.

73. Practically every village will be controlled by a talukdar or a zamindar?—In what sense, please?

74. He will have his lambardar there to manage?—He is the person who pays the Government revenue in the name of all the proprietors of the village.

75. He is a representative of the talukdar or zamindar?—By no means.

76. Is he not a member of the proprietary body?—But he has no other right or privilege except this, that the Government revenue will be accepted in his name.

77. Is not the zamindar or talukdar required to appoint the lambardar?—Not always. One of the proprietors should be a lambardar.

78. One of the proprietors has to be a lambardar?—Nobody from outside can be allowed to become a lambardar. This lambardar has no influence in the village.

79. I think a suggestion was made by the Talukdars' Association that the task of forming the association should be assigned to the lambardar of the village?—(*Raja Sir Rampal Singh*): Yes, that is stated in the memorandum.

80. It should be left to the proprietary body?—Well, I wish to make certain modifications in the memorandum. This questionnaire was received by us and we were asked to submit our replies very early. The talukdars reside in rural areas and it is difficult to collect all of them at one place. So, some of us formed a small committee to go through the first questionnaire and write out our replies. Certain tentative conclusions were arrived at by some of us. After that, when I had gone to Delhi, I had a discussion with my friends and with some talukdars also. They think that the group system will create a number of difficulties. So, I want to modify my memorandum to that extent.

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81. Is every talukdar a member of the British Indian Association?—Yes.

82. Is there among the Talukdars any person who pays less than Rs. 10 as revenue?—There may be a few.

83. How many?—I cannot tell you just now. It will be 2 or 3 per cent.

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84. *The Chairman:* Will you explain the distinction between a talukdar and a landlord? I want to know what it is that makes the distinction between a talukdar and a man who pays Rs. 500 revenue. I have understood the difference between your interest and the interest of other landholders. I have not yet understood what is the difference between you and a man who pays Rs. 500 revenue, which requires special protection?—He also requires special protection as we do.

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85. Supposing an electorate is constituted of all landlords paying Rs. 500 and they are asked to return 20 members for the whole of Agra and Oudh, will you be satisfied?—(*Raja Sir Rampal Singh*): I am afraid we won't be.

86. If in Agra and Oudh a separate constituency is created in which every landlord who pays Rs. 500 revenue to the Government is a voter, the whole electorate electing 20 members, would you be satisfied?—(*Major D. R. Ranjit Singh*): I think the landlords will generally be satisfied if this proposal is adopted. (*Raja Sir Rampal Singh*): We, talukdars, will not be satisfied with that constituency.

87. How many seats do you want for yourselves?—(*Raja Sir Rampal Singh*): We want 5 per cent. seats for the British Indian Association. We have been enjoying the same right and we stick to it.

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88. *Major Milner:* Have you had an opportunity of considering the views of the Provincial Committee?—(*Raja Sir Rampal Singh*): We do not know as yet what they are.

89. What proportion of the rural population have no land at all? I mean the male adults of the rural population.—It is very difficult for us to give a reply to this question.

90. You can give us some idea. Are they 50 per cent. of the rural adult population, the people without any land at all?—No Sir.

91. 10 per cent.?—Not more than that. There may be 5 or 6 members of a family, and their names are not entered as cultivators or as tenants. But we have never studied statistics in that connection.

92. Do you farm your own estate?—Yes, we do. We have got farms.

93. How many men do you employ?—About 60 or 70, but those whom we have employed, have got lands.

94. What proportion of these 60 or 70, in addition to working for you, have got land for which they themselves are tenants?—It may be two or three, as far as my knowledge goes, that have not got. Others have got.

95. So you say that quite a small proportion only of the rural adult population, at any rate heads of families, have not got land. The others have?—Yes.

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96. *Rao Bahadur Thakur Bikram Singh:* When was your association brought into existence?—(*Lala Hari Raj Swaroop*). In 1896.

97. Is it a registered association?—It is a registered association, under the Societies Registration Act.

98. Do you feel any difficulty in realising your subscription?—Not much.

99. Is there a feeling among the members that there is no special representation for you?—We have been feeling this disability, and we also put it before the Simon Commission, the Provincial Committee and the Central Committee.

100. You want special representation in both the Legislatures?—Yes, special representation on the Provincial and Central Legislatures.

101. Don't you think it will be possible for all (associations) to agree by reducing the numbers you ask for?—They do not agree.

102. Out of whatever is given to the Agra Province what proportion will be acceptable to your association?—Half of it.

103. Will you like the qualification to be reduced from Rs. 5,000 to Rs. 2,000?—We have no objection to reduce it to Rs. 2,000.

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104. *Mr. Desangés:* I understood one of you to say that you wanted representation of 5 per cent., another to say that he wants 20 seats and the

20th March, 1932.] Hon'ble Raja Sir RAMPAL SINGH, Major D. R. RANJIT SINGH & Lala HARI RAJ SWAROOP. [*Continued.*

third that he wants 25 per cent. Suppose you get these numbers from the general voting list, will you be satisfied?—(*Raja Sir Rampal Singh*): I wanted 5 per cent. for the British Indian Association. They say that for the whole province they want 20 seats or 25 per cent. representation.

105. Supposing you get what you require (5 per cent., or 20 seats or 25 per cent.) through the general electorate, would you still want reservation of seats?—(*Major D. R. Ranjit Singh*): We do not want the general electorates to be shut down to us.

106. You want the one *plus* the other?—Yes.

107. The other gentleman who represented the British Indian Association before the Provincial Committee said he did not want any reservation of seats in the Upper House. Is that your view? I understand you expressed a contrary view.—Yes. That means that we do not want any reserved seats for the British Indian Association. But of course in the electorate which will be composed of people on the higher property qualification, we would like to have the number of seats asked for.

108. Granted the higher qualification, you do not want reservation in the Upper House?—No.

109. *Mrs. Srivastava:* You said you were in favour of co-option for the representation of women on the legislatures. Do you not think that in a Council composed entirely of men at the time of co-option they would have women of their own choice and not of women's choice?—I quite agree with you. My idea is that women should also compete in the general electorate and if their number does not come to the required minimum, in that case some other device should be sought so that the number may come to 5 per cent. at least.

110. *Pandit Hirday Nath Kunzru:* Do you remember that in 1921 there was a great deal of agrarian discontent in Oudh and in 1923 a general election took place in which the Congress took part?—Yes.

111. I find from the report of the Simon Commission that in that legislature which lasted from 1922 to 1926 there were 45 landholders out of a total of 100 elected members. Having that in view, would you moderate your fears for the future?—No, first of all things are changing; secondly, some landlords came on the Congress ticket; although they did not join the Congress they enlisted the sympathies of the Congress so that they could enter the legislatures.

112. Did that in any way contribute to the interest of the zamindars, in the Council?—No, it did not; but things have changed.

113. Mr. Panna Lal, a Government official who gave evidence before us, said that if the zamindars bestirred themselves and took more interest in their own affairs they were not likely to lose the seats they now had in the legislatures. Will you give any weight to the opinion of a district officer who knows the district as it is to-day?—That may be his experience, but I say that a very strong influential body will come forward and it will be very difficult for the zamindars to win seats in opposition to that party.

114. You have given the enfranchisement for the Second Chamber; is this the lowest franchise you prescribe or would you be prepared to lower it?—We do want it on a higher scale so that men of substance who have got certain stakes in the country should come into the Upper House but by this I do not mean to limit the franchise. I should like experienced men with administrative experience to come in.

115. Would you like only propertied men to be returned, or would you bring in men representative of other views to the different chambers?—I have no objection to those men with ripe experience coming in.

20th March, 1932.] Hon'ble Raja Sir RAMPAL SINGH, Major D. R. RANJIT SINGH & Lala HARI RAJ SWAROOP. [*Concluded.*

116. You are a member of the Council of State. Have you found your voters to be sober men or men with revolutionary tastes?—Sober men.

117. *Rai Rajeshwar Bali:* It has been suggested that though the agrarian agitation was present in Oudh still the landlords were returned in a large majority in the election of 1923. May I ask you if it is a fact that the Congress had not organised any work in the rural areas at that time?—Yes.

118. In other words the Congress organisation was chiefly confined to cities?—Yes.

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119. *Captain Nawab Jamshed Ali Khan:* Do you think it is geographically possible for one association to group together all the districts in the Agra province?—(*Lala Hari Raj Swaroop*): No, there are 36 districts and it would be difficult to have one association to elect representatives.

120. *Khan Bahadur Hafiz Hidayat Husain:* Beyond the fact that you fear that your fate will be sealed in the joint electorates and that you have a stake in the country, what other qualifications have the landlords for asking for special representation of a majority in the Council?—There is a greater chance of sobriety and propriety in the Councils.

121. Do you remember a single instance where zamindars have gone against the interests of tenants?—No.

122. *Khan Bahadur Faish-ud-din:* Are you aware of the fact that out of the total revenue of this province the zamindars contribute 54 per cent.?—Yes.

123. If by means of open election you secure 54 per cent. of seats, will you give up your claim to reservation of seats?—No.

Memorandum submitted by the UNITED PROVINCES LIBERAL ASSOCIATION, Allahabad.

The Committee of the United Provinces Liberal Association desire to place before the Indian Franchise Committee their views on the questions raised in your *questionnaire.*

At the outset the Committee of the United Provinces Liberal Association desire to make it clear that they are in favour of as wide an extension of the franchise as existing circumstances may permit. A wide electorate is the arch upon which the edifice of responsible government must rest in this country. It is a truism to say that the distribution of political power rests in a state, in which the parliamentary form of government prevails, upon the electorate. It is essential, therefore, that such power as is transferred should pass into the hands of all classes and not only some. In principle, the Committee do not regard it as right that there should be any adult citizen in the state without the right to participate in the function of electing representatives to the Legislatures which will affect his interests as much as those of people with a "so-called" stake in the country. They regard direct adult suffrage as a goal not to be reached in some distant future but as one which must be worked up to in as short a time as possible. They are unable to subscribe to the view that the franchise should, except perhaps as a transitory measure, be limited to those who have either some property or pay taxes. In particular, they are anxious that some method should be devised whereby the large mass of landless

Memorandum by the UNITED PROVINCES LIBERAL ASSOCIATION, Allahabad. [*Continued.*

labourers and wage earners in industrial areas should have the franchise conferred upon them. They, therefore, strongly support the suggestion of the Franchise Committee of the Round Table Conference that the word " property " should be understood in its widest sense as including not only the ownership of landed property but also the occupation of land or house property, receipt of income or wages in cash or kind.

They will, with these preliminary observations, now proceed to answer the *questionnaire*.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) The United Provinces Liberal Association would favour an extension of the franchise to about 25 per cent. of the whole population. At present, the franchise is limited to those who possess what might be called certain property qualifications as evidenced by the payment of land revenue, rent or local rates in rural areas, municipal rates in urban areas and the income-tax generally. An additional qualification at present is *ex*-service in the army. The franchise, as at present arranged, gives a predominance and indeed a monopoly to communities and castes who happen to be better situated in life than others. It is not fair to women as, the qualification for a vote being a property qualification, the vast majority of them remain disfranchised, as they do not hold property in their own right. It is in the opinion of the association clearly undesirable that any particular class should come to occupy a position of predominance in the constitution.

The Committee would, in view of the considerations to which attention has been invited in the opening paragraphs of this memorandum, thus enfranchise all—

(*a*) who pay a land revenue of Rs. 10 or more per year,

(*b*) who pay agricultural rent whether as tenants or sub-tenants of Rs. 20 a year or more,

(*c*) who occupy a house, in an urban area of a population of more than 100,000 inhabitants, of the rental value of Rs. 36 per year, and in urban areas of a population less than 100,000 but more than 50,000, Rs. 24 a year, and in urban areas with a population of less than 50,000 of Rs. 12 a year,

(*d*) who have been in receipt during the year preceding the election of an ascertainable wage whether in cash or kind of Rs. 120 a year,

(*e*) who pay any municipal taxes or local rates,

(*f*) who have read up to the 4th class of the vernacular schools,

(*g*) wives, if over 25 years, of all those who are entitled to vote,

(*h*) widows, if over 25 years, of all those who were entitled in their life to vote.

The Committee would particularly stress the point that where the wages of a person can be ascertained as in the case of Government servants and factory and workshop employees, the person should be placed on the voting list as wages themselves should be regarded as good evidence of capacity for citizenship.

The Committee further desire to add that in the bigger towns adult franchise is quite feasible and they would give the right to vote to all adults of 21 and over in the following towns:—

Lucknow, Allahabad, Benares, Cawnpore, Agra, Meerut and Bareilly.

(*b*) In the opinion of the Committee such an electorate would be capable of casting an intelligent vote. At present the vast mass of electors are illiterate

Memorandum by the UNITED PROVINCES LIBERAL ASSOCIATION, Allahabad. [*Continued.*

and there is not likely to be any difference in the intelligence of the voter of the present day and the voter whom the Committee would enfranchise.

(*c*) The Committee think it ought to be administratively possible to make arrangements for the preparation, maintenance and revision of electoral rolls and the recording of votes. It is not necessary that the voting from all the wards or areas should be completed in one day. The difficulty of shortage of polling booths and polling officers can be got over by spreading the election to more than one day. At any rate arguments based on administrative considerations must not be stressed too far. Administrative difficulties exist to be got over. Administrative considerations must not be permitted to block the provinces' advance towards a more democratic franchise. They will have to be surmounted whenever the question of enlargement is taken up. In addition to official staff the association would suggest the employment of suitable non-official agency.

(*d*) The Committee have no alternative qualifications to suggest as, in their opinion, the franchise can and ought to be broadened.

(*e*) The Committee have already stated that, in their opinion, the effort should be to enfranchise 25 per cent. of the population. They would, in particular, stress the importance of recognizing wages as evidence of capacity for citizenship and interpreting property in a most comprehensive sense, and not merely as including the ownership of land or capital.

(*f*) The Committee have given their careful consideration to the suggestion that, assuming adult suffrage to be impracticable at present, all adults not entitled to direct vote should be grouped in primary groups of about 20 or in some other suitable manner for the election of one or more representative members from each group who would be entitled to vote in the provincial councils either in the same constituencies as the directly qualified voters or in separate constituencies to be framed for them. The Committee of the Association recognize that an attractive feature of the scheme is that it will enable the whole body of adults in the province to have a say in determining those who will vote for Council elections. They, however, find it difficult to suggest any workable basis for the formation of these groups which will not tend towards the strengthening of caste feeling in the rural areas. They foresee great difficulties in the formation of these groups and they are apprehensive that whatever precautions may be taken such groups would probably tend to form themselves on caste lines. When all is said and done, the political education which such indirect participation in the business of electing representatives to the Council will provide to the vast majority of electors will be, more or less, nominal. The proposal at best gives a right to all adults to have a say in selecting those who will vote for the Council. Training in public affairs can best come by direct and active participation in the work of elections. The electoral campaign of the candidates will either leave these voters unaffected in which case they will have received no political training, or will touch them also which would mean an additional expense for the candidate without the compensating advantage of *adequate* political training for the voters. The objections to the group system would, therefore, seem to be—

(1) No rational basis can be suggested for the formation of these groups.

(2) The possibility, having regard to religious and social conditions of this country, of these groups consolidating and strengthening caste feeling in the rural areas.

(3) Their incapacity to provide real political education to that mass of voters who will not have the direct franchise conferred on them.

(4) If the groups are supplementary to direct electorates, they would give added importance to those who have the direct vote and create two classes of citizenship based on property.

Memorandum by the UNITED PROVINCES LIBERAL ASSOCIATION, Allahabad. [*Continued.*

(5) They might conceivably strengthen the position of the Government in power which will have the local officials who will be responsible for the formation of these groups under its control, and through them would, it is apprehended, be able to manipulate and indeed control elections.

(*g*), (*h*), (*i*) & (*j*).—The Committee are in favour of undiluted direct election for the provincial Legislatures with adult suffrage as a goal to be reached within the shortest time possible. They do not approve of the principle of group elections at all. They do not think it necessary to answer questions based on the assumption that some form of group elections should be introduced.

2. FRANCHISE QUALIFICATIONS.

(*b*) The Committee favour the suggestion that each community should be given a voting strength proportionate to its numbers. This should be secured where necessary, by having such additional qualifications as would benefit the community which, otherwise, would not find itself represented in proportion to its voting strength in the population. This is particularly desirable for the benefit of the so-called " depressed classes ". The Committee think that if each community is given a voting strength proportionate to its numbers, either by means of adult franchise, or some other means, it would be easier for minority communities to accept joint electorates, particularly if they are accompanied by reservation of seats for them. The Committee would deplore if separate electorates are maintained in the new constitution.

(*c*) The Committee have already indicated that they do not subscribe to the view that the vote should be limited, except perhaps as a transitory measure, to those who have some " property " qualification. Capacity to earn a wage is better evidence of a man's inherent ability to profit by being given the privileges of responsible citizenship than inherited wealth. They recognise that adult suffrage is not, perhaps, except to the limited extent indicated by them in regard to certain urban areas, an immediately practicable proposition and that some qualifications of it are therefore necessary. They would, therefore, suggest that the word " property " should be understood in its broadest sense as " including income or wages whether in cash or kind ".

(*d*) The Committee favour an educational qualification, as a temporary measure, till adult suffrage is reached. They suggest the 4th class of the vernacular schools.

(*e*) They are not in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) The Committee agree with the suggestion that in addition to such women as are entitled to vote in their own right, the wives and widows (if over 25 years of age of men entitled to vote under the property qualification) should be enfranchised. They also favour the extension of the franchise to women over 21 years who have an educational qualification—such as of having read up to the 4th class of the vernacular schools.

(*b*) The Committee have already indicated that they are opposed to group elections but if it is eventually decided to form groups then they should contain both men and women. Separate groups should not be formed for women only.

(*c*) The Committee are not disposed to favour the suggestion that at any rate as a temporary measure Legislatures should co-opt women members to an extent not exceeding five per cent. of their number by a system of proportional representation. Co-option by Legislatures would disturb the communal ratios in the Legislature and is also open to other constitutional objections.

Memorandum by the UNITED PROVINCES LIBERAL ASSOCIATION, Allahabad. [*Continued.*

4. REPRESENTATION OF THE DEPRESSED CLASSES.

In dealing with the representation of the depressed classes the first difficulty that the Committee feel is that the meaning of the expression " depressed classes " is not clear. The tendency in recent censuses has been to include among the depressed classes communities which were not so counted before. No test for classification of persons as " depressed " has yet been arrived at. The Government's position in regard to it has always been shifting and, apparently for political reasons, it has been considered desirable to include in the term " depressed classes " classes which were not so regarded before. Untouchability itself is not a wholly satisfactory test for there are various kinds of untouchables among Hindus and the Dhobi and the Chamar do not stand on the same footing as the Dom and the Bhangi. The Committee would prefer to restrict the term " depressed " to those only who belong to one of the classes considered untouchables, in the sense that high caste people cannot physically touch them. The castes to which this description applies would, therefore, seem to be the Bhangi and the Dom. The grievances of the depressed classes are mostly social and religious. In these provinecs, the problem is not so bad as in the south. They take it that there will be provisions in the constitution ensuring fundamental rights to the depressed classes. The present condition of the lower caste Hindus is due, at any rate in these provinces, to the economic and educational backwardness of these castes and not merely to social and religious prejudices of the higher castes. The Committee are, however, prepared to recommend reservation of a number of seats in proportion to their population for communities classed as " depressed " in mixed constituencies. These seats would be open only to members of the " depressed classes " and for this purpose it would be necessary to have a separate register of those who belong to these classes and are, therefore, qualified to stand.

Any question arising as to whether a candidate is or is not " depressed " would have to be determined, upon its being raised, by the returning officer, subject to such appeal as may be provided to an election tribunal or other superior court.

An alternative to reservation of seats in mixed constituencies would be joint electorates with a franchise which gives to each community a voting strength proportionate to its numbers, plural constituencies and multiple or cumulative voting. Under this system it would be open to a voter to cast all his votes for one candidate and thus organised minorities will be able to return a sufficient number of men to represent their interests. The system would be preferable to proportional representation as it is easier to understand and work.

The Committee are strongly opposed to separate electorates for depressed classes, as they would tend to perpetuate the evil of untouchability in the Hindu community, sap the vitality of progressive movements in Hinduism, embitter relations between higher castes and the depressed classes, disturb the unity of village life and provide no real protection to the depressed classes.

5-A. REPRESENTATION OF LABOUR AND SPECIAL INTERESTS.

The Committee is opposed to all special representation. It, therefore, cannot make an exception in favour of labour.

With lowered franchise, labour ought to be able to find proper representation.

6. THE FEDERAL LEGISLATURE.

(*a*) The Committee agree with the suggestion of the Federal Structure Sub-Committee that the representatives of British Indian provinces in the Upper Chamber should be elected by the provincial Legislatures by a single transferable vote.

Memorandum by the UNITED PROVINCES LIBERAL ASSOCIATION, Allahabad. [*Concluded.*

(*b*) & (*c*) They propose to answer both the questions together as they are interconnected. The Committee have given their most careful consideration to the method of election to the Federal Assembly. They recognise that the problem before statesmanship is to establish a system of election, if democracy is to have any real meaning in this country, which would establish a sufficiently real relationship between the nation on the one hand and the Federal Legislature on the other. It would be a tragedy if the overwhelming majority of the population living in the villages was allowed to remain unconcerned with the national problems in the larger sphere of Government. The Committee have already stated that they regard adult suffrage as a goal to be reached in the shortest possible time. This is their goal for the Federal Assembly also. They are, however, faced with this difficulty that regard being had to the size of the province, the lack of means of communications in rural areas, the necessity of limiting the representatives to a reasonable number and the keeping of constituencies within manageable limits, they do not consider undiluted direct adult suffrage in rural areas a practicable proposition to-day. They have not emphasized the advantages of direct contact between the representative and his constituents as such direct real contact exists hardly anywhere. In most of the post-war constitutions there is proportional representation which certainly does not make for contact between the constituency and the candidate and in some constitutions the voter is required to vote not for any particular candidate but for the party whose programme he generally approves of. But the other considerations to which they have invited attention are of real importance. The Committee, therefore, are faced with one of the two alternatives. Either the franchise must be limited to property and other qualifications or a system of electoral colleges consisting of secondaries elected by primary voters who should be adult citizens of 21 or over must be devised to enable the community and not only the propertied portion of it to exercise the privileges of citizenship. The question of a mixed system of direct and indirect elections for the Federal Assembly has, however, not been considered by the All-India Liberal Federation which as a body has so far taken its stand on pure direct election. The Committee have in view of this consideration and also the fact that no workable system of indirect elections for rural areas which would associate the nation and not be open to the objections to which indirect election is open, decided to prefer undiluted direct elections with a somewhat restricted franchise for the Federal Assembly. They would in the case of the Assembly immediately enfranchise about ten per cent. of the population, the qualifications, in principle, being the same as those for the provincial Legislature but appreciably higher. They think, however, that the number of 200 proposed for the British Indian section of the Legislature is too small and they would raise it to 300 out of which this province should be allotted at least 60 seats. They would be in favour of reservation of seats for classes classified as " depressed " in proportion to their population but they are opposed to all special representation and reservation for women.

Mr. P. N. SAPRU, Representing the United Provinces Liberal Association, Allahabad.

1. *The Chairman:* You have presented an admirable memorandum, and liberally speaking, you say that you would like to see the franchise extended to 25 per cent. if administratively possible?—That is so.

2. You particularly stress the point that where the wages of persons can So far as these people are concerned, the people have confidence in them. regarded as being given a vote. How far do you think it possible to extend

that from an administrative point of view to labourers?—One method I might suggest is that it might be open to an agricultural labourer to apply to be put on the register and when he makes that application the matter might be gone into as to whether he is receiving Rs. 10 in cash or kind and if he can prove that to the officer in charge he ought to be placed on the voting register.

3. Similarly the onus of proving literacy should rest on the woman. You will enfranchise a woman who can produce evidence that she is literate?—I would extend that to women also. I would modify the memorandum to that extent.

4. In the case of men you suggest 4th class of the vernacular schools. Have you considered how you are going to get evidence to that effect? A man may have obtained his certificate 20 years before and may have lost it?—If he can produce satisfactory evidence as to the class he has passed, that would be all right.

5. You would leave the onus of proof on him?—Yes.

6. In the case of the depressed classes you suggest reservation of seats in mixed constituencies?—That is if my restricted definition of depressed classes is accepted.

7. You would do it on the population basis?—Yes.

8. We are not going to advise on the question of joint and separate electorates. But, for reservation I suppose you would make population the basis? —If the definition as suggested in the memorandum is accepted.

9. With regard to the representation of labour and special interests I would put this for your consideration. In the modern world where the Government interferes more and more with economics and where universal suffrage or movement in that direction is getting more and more popular, I should like you to consider whether it is desirable to continue the principle which, perhaps by accident, has found its way into the constitution in India—the principle of giving economic interests the right of direct representation in the legislatures. To make quite certain that real economic interest is represented is perhaps a sound principle?—I agree to a great extent with what your Lordship has just stated; but in principle I am opposed to all functional representation. I think the representatives who come to the legislatures ought to be the representatives of the nation and not of any particular class. I think, the system of franchise that we have outlined would give labour a fair chance. The Committee has suggested in the memorandum that so far as industrial areas are concerned—Lucknow, Agra, Allahabad, Bareilly, Cawnpore, etc.—there may be direct adult suffrage. It is particularly for the benefit of labour that this suggestion has been made.

10. What I am suggesting to you is this. One man one vote, representation of everybody on equal terms, is the principle that has become popular in the modern world. To ensure that expert knowledge is there on the legislatures is very important because in a system of election based on the principle of equal rights for every man and every woman there is no guarantee that you will have men who will possess that expert knowledge and it is the business of these legislatures to carry on the Government which is one of the most difficult arts in the world. Representation of special interests under these circumstances appears to be a sound principle and I would suggest that this principle is well worth your consideration. I don't want an answer to it now.

11. *Mr. Bakhale:* I want to ask one question as regards labour representation. You say in your statement that the committee is opposed to all special representation and therefore you can't make an exception in favour of labour. I take it that your Committee is opposed to special representation not because special representation of special interests is unnecessary in the legislatures but because you think that those special interests can secure representation through the general constituencies?—That is so. Landlords,

merchants and capitalists get elected through the general constituencies. They will have the money and influence to carry them through in the election.

12. That is not the case with labour?—Possibly not to the same extent.

13. It is not possible for industrial labour to secure representation through general constituencies. That is the experience almost everywhere in India to-day?—Perhaps not immediately practicable but with adult suffrage in all industrial areas labour might have a better chance.

14. If adult suffrage does not come immediately, then you recognise the need?—If there is any special representation given to any class then labour must be the first. That would be my view point.

15. Apart from that, even supposing that special representation is not given through special constituencies to special interests would you or your Association consider the desirability of treating labour separately?—As a temporary measure I would agree to it.

16. *Diwan Bahadur Ramaswami Mudaliyar:* Your Association is supposed to represent the moderate element in Indian politics as ordinarily understood in the press?—I do not like that word "moderate". We are just "Liberals".

17. You are not extremists. You don't take an extreme view in any of these questions?—Temperamentally we are rather cautious, but that is neither here nor there.

18. Holding those cautious views you are still of the opinion that there is no necessity for the representation of special interests in this province, either Commerce or the big landholders, zamindars, taluqdars or any of these special interests?—That is the view of the Committee.

19. You feel that there will be no sweeping change in the position, political or otherwise, so as to necessitate giving them special representation?—That is the view.

20. You feel also that in this very wide electorate of 25 per cent. of the total population that you are recommending there is no real reason for any of these classes to apprehend that they would lose their stake in the country?—That is so, particularly if they put their house in order.

21. You have suggested adult franchise in some big towns?—Yes.

22. May I take it that that is on the basis that these big towns will form special constituencies in themselves?—Yes.

23. They will not be grouped with the rural constituencies?—They will be constituencies themselves and not form part of the rural constituencies. We have suggested it only for 7 big towns.

24. If there is difficulty about conducting the elections on such a wide franchise, the elections might be conducted in more than one day?—Yes.

25. There is a statement in your report which I do not understand. You say it is not necessary that the voting from all the wards or areas should be completed in one day. Surely, you admit that the voting for any particular constituency must be on a single day?—Our experience is that in urban areas there are various polling booths and the voting there need not be completed in one day.

26. Even though they are the polling booths of the same constituency?—Yes.

27. I venture to suggest to you that it would be undesirable from many points of view not to complete the voting of a single constituency on a single day, that it would be better to have the polling of one constituency in one day?—I would defer to your greater experience in the matter. That is the view which we have taken in the memorandum.

28. You have suggested that the wives of male voters should also be enfranchised?—That is because we want to increase the number of women voters on the voting register, and as unfortunately having regard to the personal

laws of the Hindus it is not possible for women to have the property qualification, at any rate, a large majority of women have no property qualification, this method has been suggested.

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29. Your Association is in favour of multiple member constituencies and what has been termed cumulative voting?—That is an alternative suggestion in order to get over reservation. Provided the communal proportions are maintained in the register the suggestion is that there may be plural constituencies and the voter may be given the option of casting all his votes for a candidate of his choice.

30. Would you then have multiple member constituencies and cumulative voting only as an alternative to the system of reservation or would you have this in any case?—My personal inclination would be to have it in preference to reservation in a joint electorate. But, the Committee's recommendation is in the nature of an alternative.

31. May I put it this way? Apart from the reservation of seats for the depressed classes, apart from the question of depressed classes, do you think that an electoral machinery based on cumulative voting would be better than reservation of seats?—It would not be in the case of small minorities like the Anglo-Indian community, but in the case of bigger minorities it may do. That is, of course, on the assumption that joint electorates are accepted.

32. On the basis of cumulative voting what is the number you would give to the candidates of a particular constituency?—Four or five.

33. Don't you realise that the constituency will become very large in that case?—This consideration cannot be stressed too far. In some modern States you have, for example, the list system, particularly in all post-war constitutions there is proportional representation.

34. Under the list system there is no touch with the constituency?—That is one of the inevitable shortcomings of the list system. Individual connection with the constituency does not exist even to-day here.

35. I have not been able to correctly appreciate what you state with reference to the franchise for the Federal Lower House?—The position that we have taken up is this. We are not having adult suffrage to-day. Therefore the problem as to what will happen to the Federal Legislature when adult suffrage with direct election has been reached does not arise. In the second place, the All-India Liberal Party as a party has not considered the question of any alternative to direct election. Therefore what we suggest is that the franchise should be widened for the Federal Legislature and the present system of direct election continued.

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36. *Khan Bahadur Aziz-ul-Huque:* You are aware that there are two systems. One is of Bengal and Madras, where all the landholders are placed in a special constituency provided a landholder pays revenue up to a certain standard, and the other is that of the United Provinces where representation is through the Associations. As between the two systems, assuming that special representation is to be given to the landholders in some form, which would you prefer?—I would prefer the Bengal and Madras system.

37. In other words, fix a minimum standard of land revenue for a landholder to be in that special constituency?—Yes.

38. That would meet the opinion of the landholders if such representation is given?—Yes.

39. Specially with regard to your own province can you tell me what are the different grades of landed interests as between the landlord and the cultivating tenant?—There are the big taluqdars and the zamindars. There is an intermediate body of zamindars—people who pay Rs. 2,000, 5,000 or 10,000 as land revenue. Then there are smaller landholders until you get

to a man who pays Rs. 10 as land revenue or Rs. 20 as land revenue and he can hardly be distinguished from the tenants. That is the gradation as far as I know.

40. Supposing I ask you as to how much rent or revenue should be fixed in order to bring a large section of the agricultural tenants on the voting list, what will be your answer? Would you say Rs. 10, Rs. 15 or more?—I have suggested Rs. 10.

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41. *Mr. Tambe:* What method would you suggest for securing the presence of some women at least in the Council?—Having regard to the present state of feeling in the country women have a very fair chance in mixed electorates and we should not like them to develop the inferiority complex. I should like them to take their proper place in politics and seek suffrage through the open door.

42. *Mr. Miller:* You say in your memorandum that the Committee would particularly stress the point that where the wages of a person can be ascertained, as in the case of Government servants and factory and workshop employees, the person should be placed on the voting list. Do you think that the employers would provide a list of the employees?—I think they ought to. In any case under the Factories Act they have got to file a return where they have to show what wages they are paying.

43. There should be no great difficulty about organised labour?—No.

44. Assuming that special interests are represented you will require labour to be represented?—Yes.

45. Assuming that special representation is given, what do you think of the Government proposal that they would form a special constituency with a roll embracing all adult labourers who have been employed for six months on a pay of Rs. 15 per month or over in factories?—I should prefer trade unions to be the electing bodies.

46. If they are well organised?—Yes.

47. Would you prefer them as they are to-day?—I would prefer trade unions. It would give incentive to the trade union movement.

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48. *Sir Sunder Singh Majithia:* On the first page of your report you say that you strongly support the suggestion of the Franchise Committee of the Round Table Conference that the word "property" should be understood in its widest sense. Would you place any limit on property, on wages in cash or kind?—I have suggested that those who pay land revenue of Rs. 10 or more per year or those who pay agricultural rent of Rs. 20 or more.

49. What about wages in kind?—Those who receive Rs. 120 a year whether in cash or kind.

50. How do you assess that? On the value of the present day wages?—Yes.

51. That would be fluctuating with the prices?—Yes.

52. Supposing a man, according to the present valuation, is enfranchised, but later on the value of the kind goes down?—He goes out of the register. That is all that happens.

53. Then in your report you say "in addition to the official staff the Association would suggest the employment of suitable non-official agency". Whom would you include in this non-official agency?—Well, in the bigger towns, and even in the smaller towns, there are many men of impartial views. You may have Honorary Magistrates, Honorary Assistant Collectors and Honorary Munsiffs.

54. Would you include them?—Yes. I would trust the man on the spot. So far as these people are concerned, the people have confidence in them. They may be put in charge.

55. You are in favour of trade unions being made the basis of representation for labour if they are organised?—Yes.

56. May I know why you are not in favour of the organisation like the British Indian Association to represent capital?—I did not say I was not in favour of the British Indian Association. Only I would not give it the right to send representatives to the legislature.

57. You would give that right to the trade unions?—Yes.

58. Not the British Indian Association?—No.

59. Why?—Because I think that the zamindars will be returned in sufficiently large numbers through general constituencies. They have money to help them. A labourer has no money to help him.

60. Do you mean to say that they will be able to spend money to buy votes?—If I want to seek election, I would have to spend a certain amount of money. As there are no organised political parties in this country yet with political funds and all that sort of thing, a man of property will have an initial advantage for a long time to come. A man with property will start with an initial advantage over a labourer.

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61. *The Hon'ble Mary Pickford:* You are in favour of giving the franchise to all who get an income of Rs. 120 a year?—Yes.

62. If you have a flat rate for men and women, would it not work unfairly seeing that the average earning of a woman is less than that of a man?—That was not present in my mind when I sent in my memorandum. I am now prepared to reduce the qualification for women because my object is to have as large an electorate as possible.

63. In the same way, are you also prepared to lower the age of the wives from 25 to 21?—Yes.

64. You say that you are in favour of giving the franchise to women who have read up to the fourth vernacular standard which is the same as you suggest for men?—Yes.

65. Are you aware that in the last 11 years whereas among males 442,000 have passed that examination among females only 11,000 have passed it?—I know that literacy among women is unfortunately very low.

66. So that, if you adopt the same standard for men and women, you are again favouring man in comparison with woman?—That may be so.

67. May I say that your Association has not thought out the women's problem at all?—I have given some thought to this problem. As a matter of fact if our proposals are accepted as they are, there will be a very large number of women coming on the roll. May I just invite your attention to that portion in my memorandum? I have reduced the age of wives from 25 to 21. I have stated that all those whose husbands are entitled to vote should get the vote. There are very few spinsters unfortunately in this country and the destiny of all women in this country is marriage. And I have provided that all married women and widows should get the franchise. Probably now they will even out-number men voters.

68. I quite agree. But your suggestions will not be satisfactory to women.—I am a strong feminist myself. Therefore I should like to feel that I have not been in any way unfair to women.

69. *Mrs. Subbarayan:* You said that you were willing to give labour special representation as a temporary measure?—Yes.

70. Your reason is that labourers have not much money to spend on election campaigns while the zamindars have large sums at their disposal to spend on elections and that labourers will be nowhere at the elections?—Yes.

71. Does not that reason apply to women too?—There are wealthy widows and there are wives of wealthy people who will be glad to spend money for the election of their wives.

72. I quite admit it; but are they educated enough and are they taking part in public life?—The tendency is to take part in public life in increasing numbers in this country.

73. The property qualifications will not help women because our social custom is such that women do not own property in their own names?—Our law of inheritance is responsible for it. But that statement also requires qualification, because Hindu widows hold what is called widow's estate. And then daughters can, in certain circumstances, inherit.

74. That means that not many women have independent means?—Well, a sufficient number of women have independent means to stand successfully as candidates.

75. Do you think they will have equal opportunities with men when they have to stand for vast rural constituencies?—I think so, in the case of women who are taking active part in certain political organisations.

76. They comprise only the fringe of the female population?—Well, as a matter of fact, among men also the same is the case.

77. Do you know if any woman has contested the elections successfully during the last four elections?—I do not know if any woman stood at all.

78. For the local bodies?—Mrs. Uma Nehru contested one of the seats successfully in Allahabad.

79. You are not basing your opinion on experience if I may respectfully say so?—I am speaking from experience. I am opposed to women developing inferiority complex. If they take their proper place in the political field, just as men are doing, they will have as much chance as men. Even assuming that women do not occupy seats in the legislatures in the first few years, no calamity will befall the nation.

80. Don't you think then that it is very important that the legislatures should have the co-operation of women in the very first years?—I have no doubt that we will have their co-operation, because there will be sufficient numbers of them returned even if no seats are reserved for them.

81. *Sir Ernest Bennett:* You mentioned in the early part of your evidence that the industrial population of Cawnpore might be given adult suffrage?—In big cities.

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82. Will you tell me whether if the franchise is given to people paying Rs. 12 as rent in towns, it would enfranchise the poor people?—It would.

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83. *Mr. Butler:* May I know why your committee omitted to answer the question regarding the disparity of franchise in town and country?—I did not answer that question because I was not familiar with all the electoral rules myself and I did not think that I would be justified in answering a question about which I had not sufficient knowledge.

84. I quite appreciate that. Do you think it is an important question?—It is an important question. Probably other witnesses will be able to tell you more than I can about it.

85. I am only asking you this question because you are suggesting so much better terms for the towns and leaving the country parts quite alone?—Well, there is that deficiency in our memorandum. As a matter of fact we should be glad if the anomalies and disparities could be removed.

86. You have stated in your answers to the questionnaire that the groups come under the influence of the zamindars. Are you aware that that charge cannot be laid at the doors of the three representatives of the zamindars'

organisations who just now gave evidence to the effect that they do not want the group system?—I believe they said something to that effect.

87. The representatives of the British Indian Association support the group system?—I believe they do not.

88. Do you think that the zamindars will be able to control the elections? —I believe so.

89. They think they would not be able?—They are not doing themselves justice. (Laughter.)

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90. As regards the representation of depressed classes you say that the returning officer should determine whether a candidate is a depressed class man or not. Did you put that point before a representative body of depressed classes?—No.

91. *Lord Dufferin:* You will be in favour of multi-member constituencies only if separate electorates are abolished?—Yes. There will not be much to be said for multi-member constituencies if separate electorates are to be retained. I would be in favour of multi-member constituencies even if separate electorates are not abolished for the Muhammadans, because there are the depressed classes to be considered.

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92. *Pandit Hirday Nath Kunzru:* You were asked several questions about the position of women in this province?—Yes.

93. From your knowledge of women, can you say what position they occupy in public affairs?—I think they are treated with the utmost consideration and respect and they can expect to be elected to any office that is open to any other person. I know of a lady who presided at the United Provinces Liberal Social Conference.

94. Are there, within your knowledge, several ladies in this province, who, if they stood for election, would prove formidable rivals to any candidate of the male sex?—There are at least three dozen ladies in our province who would prove formidable rivals.

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95. If they stood for election, would any prejudice be created against them even in this ignorant electorate because they are women?—I think the prejudice would be just in their favour.

96. In reply to the Chairman you said that you would expect them to be returned at the elections in proportion to their population?—Yes.

97. If they do not get that much representation through elections, what will you do?—I would give them a fair number of seats with the right to contest additional seats.

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98. What is the attitude of the Liberal Association towards the question of second chamber in the province?—The question of second chamber does not form part of our memorandum, because I understood from the questionnaire that the Franchise Committee was not considering this question during this visit.

99. *The Chairman:* We had asked for this information because we thought that people might modify their franchise proposals for the lower house in reference to the upper house.—The general feeling is against a second chamber.

100. Are there zamindars among the members of the Liberal Association? —There are.

101. And on the executive committee of the Association?—There are.

102. *Dr. Nehru:* Do you suggest the enfranchisement of 25 per cent. of the population?—Yes.

103. Have you stood for election at any time?—I have not stood for election myself and I have no personal experience.

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104. *Mr. Darwin:* You have agreed that women may have different or lower qualifications than men?—Yes, I said so in order to appease women's sentiment in this matter.

105. You have also suggested that rent qualifications for different communities of tenants may be different?—Yes, in order that the different communities may have representation corresponding to the strength of their population.

106. The third point which you suggested was that adult suffrage should begin with cities but not elsewhere.—Some big cities.

107. It seems to me that your suggestion may not tend to stability.—It all depends on what you mean by stability. There are many people who do not regard your present administration as a stable one. That is a matter of opinion.

108. If you pile up one anomaly on top of another, you will make it worse. —If you read the report of the Federal Structure Sub-Committee, you will be struck with many anomalies; these are nothing compared with those which commended themselves to the members of the Federal Structure Sub-Committee. I am not blaming them in the least, because this is admittedly a transitional constitution.

109. *Mr. Desangés:* Would you give universities separate representation? —As I have said, I am opposed to separate representation or special representation altogether. I would disfranchise universities also. But if special representation is given, I would certainly give universities also special representation.

Memorandum submitted by the DALIT JAT SUDHARAK SABHA, Gorakhpur.

This Sabha, while it generally agrees with the United Provinces Hindu Backward Classes League, Lucknow, in the replies to the questionnaire the League has submitted, differs in three vital points:—

(*a*) As to the extension of franchise, this Sabha would recommend that every household should have two votes, as far as possible, one male and one female. This will do away with the necessity of group system which is likely to involve great difficulties.

(*b*) This Sabha thinks that it would not be in the interest of the depressed classes to have separate electorates even if they are possible. *This sabha would prefer reserved seats in joint electorate on the population basis.*

(*c*) This Sabha thinks that through the general extension of the franchise the Ahar, Ahir, Kurmi, Kalwar, Teli, Lohar, Barhai, Lodha Faquir, Gujar, Sainthwar, Sonar, Murao, Kachhi, Koeri, Mali, Thathera, Barai, Tamboli, Baghban, Kisan, Saini and Darzi whose population is 13,331,683 according to the census of 1921, will probably get representation of their own choice. But this Sabha is decidedly of the opinion that the following communities whose population is 12,685,210 according to the same census, has not the ghost of a chance even to dream of sending representatives of their own

choice. They are tightly under the economic and social slavery of the high caste Hindus and are very backward in education.

Arakh.	Balai.	Dhuria.	Harjala.	Lakhera.	Ramaiya.
Aheria.	Baheliya.	Dhunia.	Habura.	Mallah.	Radha.
Agaria.	Beriya.	Dharhi.	Kumhar.	Mochi.	Rangrez.
Bhar.	Bengali.	Dalera.	Kahar.	Majhwar.	Rangsaz.
Bhoi.	Bansphor.	Dhobi.	Kuta.	Meo.	Raj.
Bhoksa.	Bajgi.	Dabgar.	Kharot.	Musahar.	Raji.
Bhotiga.	Bhangi.	Dhanuk.	Khairha.	Manjhi.	Sajwari.
Banjara.	Balahar.	Dusadh.	Khairwa.	Nat.	Saun.
Bhand.	Basor.	Dharkar.	Khangar.	Nai.	Sansia.
Beldar.	Bauriya.	Dhangar.	Kapariya.	Nishadh.	Saikalgar.
Bhuriya.	Bharbhuja.	Domar.	Kori.	Orh.	Sunkar.
Bhuiyar.	Bhil.	Dom.	Khatik.	Parahiya.	Sahariya.
Byar.	Bhonpa.	Gadaria.	Kanjar.	Panki.	Tharu.
Badhik.	Bari.	Gond.	Korwa.	Patari.	Patgar.
Barwar.	Chero.	Goria.	Kol.	Pasi.	
Bawariya.	Chamar.	Gandharb.	Kharwar.	Pahri.	Ror.
Bhantu.	Dhimar.	Ghasia.	Luniya.	Rajbhar.	Jhonjha.

This Sabha is very grateful to the efforts of Arya Samaj and Indian National Congress in general and to Mahatma Gandhi and Swami Shraddhanand in particular as they have practically vanished the stigma of untouchability from these provinces, the result is that the only caste that can now be regarded as untouchable is Bhangi. Even Bhangi is not always untouchable, *e.g.*, in marriage procession, fairs and on occasions of other festivities, his touch does not pollue anybody. But let it be clearly understood that these people cannot elect their own men even in local bodies, what to speak of the Legislature, however the franchise may be extended. Their difficulties are that they are not independent. They are too weak to assert their rights at present conferred by law. The high caste Hindus consider it their monopoly to go to Legislature and to local bodies and have all the public services for themselves to the exclusion of the depressed classes. All these occupations of the depressed classes are considered degrading.

The high class Hindus say that the number of the depressed classes is very low, some even go so far as to say that there are no depressed classes in these provinces. In this connection we cannot help quoting the passage from the speech of His Excellency Sir Malcolm Hailey in reply to an Address presented by the Adi Hindu Sabha, Lucknow, on 6th March, 1930. His Excellency puts the figure at about twenty millions.

". . . In the term depressed classes are included now-a-days a great mass of people of varying status some of whom perhaps owe that position to the origin you suggest, while large numbers owe to the adoption of particular trades held to be of a menial nature, and others to the fact that they are descended from people who for some reason have been definitely outcasted. If the population belonging to these various classes can be viewed as one body the total is undoubtedly large. There are in the United Provinces some thirteen million people who are included by the census among Hindus, but who for various reasons are regarded as untouchables. There are a considerable number whose occupations are classified as more or less respectable, and who come therefore under less rigid social restrictions; but there are also a great number, amounting perhaps to about seven million, whose occupations are definitely regarded by Hindus as degrading and placing their followers in ordinary parlance beyond the pale of society."

Memorandum submitted by the UNITED PROVINCES HINDU BACKWARD CLASSES LEAGUE, Lucknow.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

(*a*) This League will include the following communities as belonging to depressed classes:—

(1) Ahir, (2) Arakh, (3) Ahirya, (4) Agarya, (5) Bharbhuja, (6) Bhar, (7) Bhoi, (8) Bhuksha, (9) Bhatnyar, (10) Banjara, (11) Bhand, (12) Beldar, (13) Bhuiyar, (14) Byar, (15) Badhik, (16) Barwar, (17) Barwariya, (18) Bhantu, (19) Balai, (20) Baheliya, (21) Barya, (22) Bengalee, (23) Bansphor, (24) Bajgi, (25) Bhangi, (26) Balahar, (27) Basor, (28) Bhuriya, (29) Bhil, (30) Bhopa, (31) Bari, (32) Barai, (33) Charo, (34) Chamar Gharauna, (35) Dhuriya, (36) Dhobi, (37) Dalera, (38) Dhaibi, (39) Dabgar, (40) Dhanuk, (41) Dusadh, (42) Dhankar, (43) Dhangar, (44) Domar, (45) Dom, (46) Darzi, (47) Fakir, (48) Gond, (49) Gariya (50) Gadariya, (51) Ghasiya, (52) Haijala, (53) Habura, (54) Kumhar, (55) Kalwar, (56) Kahar, (57) Kuta, (58) Kharot, (59) Khairaba, (60) Khairawa, (61) Khangar Rajput, (62) Khangar, (63) Kapuriya, (64) Kori, (65) Khatik, (66) Kanjar, (67) Karwa, (68) Kol, (69) Kharwai, (70) Luniya, (71) Lohar, (72) Lakhera, (73) Mallah, (74) Mochi, (75) Majhwar, (76) Manjhi, (77) Meo (78) Musahai, (79) Nat, (80) Nayee, (81) Orh, (82) Purhuja, (83) Panki, (84) Patwa, (85) Patri, (86) Pasi, (87) Pahri, (88) Rajbhar, (89) Ramiya, (90) Radha, (91) Rangrez, (92) Raj, (93) Raji, (94) Sejirai, (95) Senn, (96) Sansiya, (97) Saiqalgar, (98) Sunar, (99) Sankar, (100) Sabariya, (101) Teli, (102) Tharua (103) Tamoli, (104) Bhaghalwar, (105) Mali, (106) Saini, (107) Barhai, (108) Goojar, (109) Kachhi, (110) Kurmi, (111) Kisan, (112) Koiri, (113) Lodha, (114) Murao, (115) Thathera.

The League does not consider it desirable to enter into the question as to which of these communities are touchable or untouchable because it is very difficult to decide it. The same community is touchable at one place and untouchable at another so much so that the difference is noticeable in the rural and urban areas of the same district, *e.g.*, Lunyas are untouchables in some districts and touchable in others. The same remark applies to Kalwar, Kumhars, Pasis and Khatiks and even Chamars.

In fact the only caste which can possibly be termed untouchable universally is the Bhangi (sweeper).

(*b*) Our League considers that the depressed classes are not likely to secure representatives of their own choice in the general electorate in these provinces even if adult franchise could be introduced. The reasons are that there is no fixity of tenure nor fixity of rent and the depressed classes are considered socially too low to become members of Legislatures, by the landlord, money-lender, and other influencial high class Hindus. The condition to-day at the polling booth is this—

The candidate has no necessity to go to the voters themselves, majority of whom come from the depressed classes. His purpose is fully and easily served by canvassing the landlord, the money-lender, the mukhia, the priest, and the like who drive the voters to the polling station like dumb-driven cattle and are made to vote for whomsoever these benefactors of the humankind wish them to. Let it not be understood from these that the depressed class voter is any the less intelligent. He is an intelligent as any other voter are but what he lacks very badly is independence.

Taunting remarks are dinning in our ears, "Let any number of voters be increased, they are after all under our control".

Therefore the League is sorry to remark that the lot of depressed classes, so far as franchise is concerned, is without remedy.

Memorandum by the UNITED PROVINCES HINDU BACKWARD CLASSES' LEAGUE, Lucknow. [*Concluded.*

NOTE.—It would not be out of place to mention here that the term "depressed" though it does not necessarily connote untouchability has unfortunately come to associate with itself the idea of untouchability in the sense of causing pollution by touch as is the case in Madras and Bombay. Therefore many communities who are really depressed hesitate and even resent to call themselves depressed.

This League would suggest the term "Hindu" "Backward" in place of the term Depressed as the proper nomenclature. This term is all the more appropriate because untouchability as prevailing in these provinces is very little—almost nominal.

All the above communities belong to non-Dwijas or degenerate or Sudra classes of the Hindus. Although they number over 60 per cent. in these provinces and have actually a majority of voters yet they are so low socially, educationally, and economically, that they have not been able to send a single representative to the Legislature of the province from among themselves. Their qualified men have met with shameful discomfiture even in election to the local bodies because of the accident of their birth in a certain caste.

In this state of helplessness many communities of the depressed classes have tried to claim themselves, within the course of the last 30 years, as belonging to one of the three re-generate classes, *e.g.*—

1. (*a*) Jatava Chamars and Ahir claim themselves to be Yadava Kshattriyas.
   (*b*) Kalwars . . . Hai Hai Kshattriyas.
   (*c*) Gadaryas . . . . Pali Kshattriyas.
   (*d*) Dusadh . . . . Dushashan Vanshi Kshattriyas.
   (*e*) Telis . . . . Deep Vanshi Kshattriyas.
2. (*a*) Bhangis (sweepers) . Balmiki Vanshi Brahmans
   (*b*) Pasis . . . Parasram Vanshi Brahmans
   (*c*) Lohar and Barhais . Vishwakarma Vanshi Brahmans
   (*d*) Barai (Tamboli) . . Barua Vanshi Brahmans
   (*e*) Nai . . . . Nayee Brahmans.

Although these claims are based on *Vanshavalis* (geneologies) prepared by Brahmans, yet their "sacred threads" and their heads in unison are forcibly broken by the high class Hindus and their claim is never likely to be accepted.

Mr. RAM DAS JIWIT, Representing the Dalit Jat Sudharak Sabha, Gorakhpur.

Mr. GAURI SHANKAR PAL, M.A., LL.B., Representing the United Provinces Hindu Backward Classes League, Lucknow.

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1. *Dr. Ambedkar:* Before you submitted this memorandum, you sent a letter on the 25th February 1932 to the Franchise Committee saying "I have the honour to enclose herewith a copy of the resolution passed by this Sabha at a meeting of its executive committee on the 23rd February 1932 in reply to the questionnaire issued by the Franchise Committee regarding the representation of the depressed classes". Then there is an enclosure which runs thus: "Resolved that this Sabha adopts the replies of the United Provinces Hindu Backward Classes League, Lucknow, to the questionnaire of the Franchise Committee and would include those communities among the

20th March, 1932.] Messrs. RAM DAS JIWIT & GAURI SHANKAR PAL. [*Continued.*

depressed classes whom the said League has enumerated in its reply ". Is that correct?—(*Mr. Jiwit*) : Yes.

2. And you submitted your memorandum after that?—Yes.

3. In that memorandum you say that you differ from the United Provinces Hindu Backward Classes' League on three vital points. In the first resolution you said you adopted all that they said.—Yes. The first resolution was passed by the Executive Committee, but the general meeting of the Sabha endorsed the resolution with amendments.

4. Do you include altogether 115 castes in the depressed classes?—(*Mr. Pal*) : Yes.

5. And the list that you have prepared comes to 101?—(*Mr. Jiwit*) : Yes.

6. Comparing the two lists I find that the Dalit Jat Sudharak Sabha has excluded 17 castes which are included by the United Provinces Depressed Classes' League, and also 5 others which are not included therein. Could either of you tell us exactly on what basis you prepared this list and what criterion you adopted? Is it a list of the depressed classes as such or is it a list of the backward classes or is it a list of untouchables?—(*Mr. Jiwit*) : We have defined depressed classes as the castes who are not able to elect their own men and who are considered in the opinion of the high caste Hindus as low. Those 17 or 18 castes have been excluded on the assumption that if the franchise is enlarged on the lines suggested by our Sabha, then perhaps those 17 castes may be elected.

7. My point is this. Is this a list of what might be called backward communities, economically backward and educationally backward? Or is this a list of castes which are called untouchables, whose touch causes pollution. Is this a list of castes which are touchable but which are educationally and economically backward, or which are untouchable and also educationally and economically backward?—(*Mr. Pal*) : In so far as the opinion of the league is concerned in this respect, I respectfully submit that this is a list of all the castes which in the opinion of the league are depressed classes; untouchability in the sense in which it is understood in Madras or Bombay does not exist here. Bhangi is the only caste that is universally untouchable, pollution by whose touch is regarded as something very undesirable. Here untouchability exists, of course, but in a very mild form or exists in some form or another in all the castes I have enumerated.

8. All the 115 castes are in some sense untouchable?—In some sense or other. In addition to that they are economically and educationally backward. They cannot get representation unless special representation is given to them. But each of these castes is not untouchable everywhere. There are castes which are untouchable at one place but not untouchable at another place.

9. I will take the case of Ahirs. Can you say that Ahir is an untouchable community in any part?—It is considered utterly low in Gorakpur. The word " untouchable " ought to be defined. Does untouchability mean unapproachability?

10. I mean a person whose touch is avoided or on whose touch a person takes a bath.—If this is the test, only Bhangi is untouchable. Ahir is not. But nobody will take water from him in Gorakpur because he cleans the utensils of the high caste Hindus.

11. What is your view of the Ahirs? Are they untouchable?—(*Mr. Jiwit*) : Bhangi is the only caste which is untouchable according to our definition.

12. All the people in these lists are not untouchable?—No. I want to draw your attention to the fact that our oral evidence prepared by the Provincial Franchise Committee is full of mistakes. (*Mr. Pal*) : So is the case with mine, because we gave our evidence in the vernacular.

20th March, 1932.] MESSRS. RAM DAS JIWIT & GAURI SHANKAR PAL. [*Continued.*

The Chairman: If anything is circulated as representing your opinion, you ought to have an opportunity of saying and accepting it as authoritative.

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Mr. Butler: Can the question of differential qualification be discussed here?

The Chairman: Yes.

13. *Mr. Butler:* A possible differential qualification for the depressed classes would be the group system for the depressed classes alone. Have you any opinion on that point?—*(Mr. Pal):* The league has not given any opinion on that. *(Mr. Jiwit):* I would prefer the group system on condition that caste is made the basis and not village as the unit.

14. Suppose representation is given to the depressed classes in these provinces, would you be in favour of their representation being through the group system?—*(Mr. Jiwit):* Yes, Sir.

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15. *Sir Ernest Bennett:* The representatives of the depressed classes stated with perfect justice that you suffer under certain disabilities, that you have no access to temples, wells, etc. Do you expect these disabilities to be remedied by legislation? You seek access in one form or other to the Legislatures of the country. How do you expect the Legislature to help you in these respects?—*(Mr. Pal):* Because we will be representing our opinion on the legislature. So we will be politically helped and educationally helped; and our economic condition will also be improved.

16. But no legislation will ever force a caste Hindu to admit you to a temple?—It does not matter if we are out of the temple. So far as our educational and economic condition is improved, it does not matter.

17. Your main point is that you must be educationally improved?—Educationally and economically improved. We want political representation so that the Government may not work against us.

18. *Sir Sunder Singh Majithia:* (Addressing Mr. Pal) Do I understand you aright that in the Gorakhpur district water is not taken by the high castes at the hands of an Ahir?—They clean the utensils of the high caste Hindus. At some places water is taken from Ahirs and at some places it is not.

19. How would you define depressed class people?—Not in the sense of the definition in Bombay or Madras but apparently here the Hindu class is divided into high and low castes. The problem is very acute, as acute as untouchability is in Bombay and Madras. I apply three tests, the first is we are socially despised; then there is economic backwardness; and educational bankruptcy.

20. Would you accept Mr. Blunt's criteria? He says that the principal of these are: 1 Untouchability: pollution by physical contact which involves *(a)* exclusion from village wells; *(b)* exclusion from temples of orthodox Hindus: 2. Food and water taboos. 3. Exclusion from orthodox domestic rites. Do you consider that this criteria should be applied to the depressed classes?—No.

21. You prefer your three?—Yes.

22. Do you mean to say that an Ahir will take water from the hand of a Chamar?—At present he would not, and a Chamar would not from a Bhangi. We have got the greatest grievance against the orders of Manu.

23. *The Chairman:* (Addressing Mr. Jiwit) On the problem of representation, in the first memorandum you say there are 13,300,000 in the depressed classes who would get representation of their own choice, and 12,685,000 who

would never get the ghost of a chance of sending representatives of their own choice?—It is 15 millions and not 12 millions.

24. Now I am putting this to you, supposing there was adult enfranchisement and every one of the adults represented by these figures were enfranchised in a constituency of an ordinary kind, would it still be true to say that 15 millions would be unable to return representatives?—Yes, because the majority are in the hands of landlords, zemindars, money lenders and Brahmans.

25. Even if there was a secret ballot?—Even now it is secret and the majority of the voters are from the depressed classes but they cannot vote independently.

26. Do you mean that they are not independently minded enough?—No; they are very intelligent voters but they have not got the independence of voting.

27. I admit if you had restricted enfranchisement there may be some difficulty but I am taking you on the adult franchise basis, which is a different problem. Let us assume you have all got the vote and you can vote for anybody you like in an ordinary electorate; you are at least half of the voters; why do you say you would not have the ghost of a chance?—Because the influence of the money lenders, the priests and the zemindars is always hovering over us.

28. You might send as many as a third of your population but you could not poll your full weight?—No, we could not.

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29. *Mr. Tambe:* (Addressing Mr. Pal): What is the membership of the Mahasabha league?—Six or seven thousand members.

30. Do you maintain a register?—Yes.

31. How many of these 115 castes are represented on the register?—Almost all with the exception of one or two.

32. Which are not represented?—I cannot say from memory.

33. Are there Chamars and Kalwars in your league?—Yes.

34. What is the subscription?—The minimum subscription is four annas which can be raised to one rupee.

35. Are your accounts audited?—It is not registered.

36. You must have a large balance?—Yes.

37. Where do you keep it?—With the league.

38. You don't keep it in a bank?—No.

39. (Addressing Mr. Jiwit): What is the membership of your Sabha?—About 1,000.

40. Are the doctrines of both bodies the same?—We differed on certain points which have been cleared. The objects are the same.

41. How many of these castes are represented on your register?—It is not a registered association.

42. When was it established?—About 3 years ago.

43. Was it established at the time of the Simon Commission?—It was established 5 or 6 months before the Commission.

44. (Addressing Mr. Pal): When was your league established?—In 1929, but our association existed even before.

45. You said you were in favour of groups provided the groups were constituted on the basis of castes. Would you like 115 groups of these separate castes?—Yes.

46. All these 115 castes provide agricultural and industrial labourers?—Yes.

47. Labour does not come from any other castes?—I don't think so.

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48. *Pandit Hirday Nath Kunzru:* Which of you represents the United Provinces Hindu Backward Classes?—(*Mr. Pal*): I do.

49. Are you aware that in the United Provinces Legislative Council we; have had members of the Ahir, Koormi, Gujar and Kalwar classes?—Yes, those are individual cases and they have sometimes been brought in but not regularly.

50. We have been told that the presence of the depressed class people in the legislatures is due to the desire of the Congress party to bring the legislatures into disrepute. Have you seen any differentiation in the treatment of these members?—The Council is not the place where differentiation can be exhibited.

(*Mr. Jiwit*): I know of one case where there was differentiation. In the recent Durbar given by the Maharaja of Benares all the members of the District Board were invited except Chaudhury Ram Bharas, who is a member of the depressed classes.

51. Do you know that there is a Bhangi member in the Council?—Yes.

52. Is there any differentiation shown?—I don't know, but I know his presence there is due to Congress boycott of the Councils.

53. *Rai Rajeshwar Bali:* Does any education bar exist between you and the other castes?—Yes, the bar is that almost the whole of the education is in the hands of high caste Hindus and they do not teach our boys properly. If there happens to be a high Caste Hindu Headmaster he flogs the boys deliberately and talks in these terms: "You a potter would like to come and capture the Legislative Councils and take our posts; I will drive you to the potter's wheel". This is the general complaint of all the Sudras.

Memorandum submitted by the UNITED PROVINCES ADI-HINDU (DEPRESSED CLASSES) ASSOCIATION, Lucknow.

I.—PROVINCIAL LEGISLATURES.

1. Extension of the Franchise.

(*a*)—(*c*) The association is in favour of direct adult suffrage for all males and females. That being its view the association is not prepared to accept the proposition implied in questions that the extension of the franchise should be regulated by the extent of the administrative machinery. The association on the other hand thinks that administrative machinery should be devised to meet with the extent of the franchise. The question of franchise should be considered solely from the point of giving political power to all classes especially to those who occupy a low place in society and consequently whose welfare depends to a great extent upon governmental activity. As to the other question, namely, whether an extended franchise would bring in an elector capable of casting an intelligent vote, the answer is in the affirmative. The association would like to point out that the depressed classes have been keenly interested in politics and have a class consciousness arising out of a livelier sense of many social disabilities from which they suffer. They are not likely to cast a wrong vote.

(*f*) If it is shown that administratively it is difficult to work the system of adult suffrage and direct election then the association would be prepared to accept indirect election by groups of twenty for a period of transition till administrative machinery is developed to cope with direct election on the basis of universal adult suffrage. The association would suggest that if the

Memorandum by the UNITED PROVINCES ADI-HINDU (DEPRESSED CLASSES) ASSOCIATION, Lucknow. [*Continued.*

group election is to be adopted then the group should be bigger and should be made to elect plural number of electors. Such a system would give scope to small communities to elect their own electors.

The association is against a two-fold system of franchise, (1) direct based on property or literacy and (2) indirect based on membership of a group. If direct franchise qualification for all is not possible the association would prefer indirect system of election by groups applied to all. In the event of the two-fold franchise being retained the association is against the indirect voters and direct voters forming separate constituencies for the purpose of election nor should the candidature be restricted to the voters belonging to the respective classes of voters.

2. FRANCHISE QUALIFICATION.

(*a*) The association does not understand that behind the division of rural and urban there is any real division of interests. Consequently even if there was a disparity of the kind suggested in the question as between rural constituencies and urban constituencies the matter cannot become one of great heart-burning except in the event of the council being given a majority over the rural representatives. On the other hand it is the view of the association that the wealth and special intelligence available in the towns justify some weightage in the matter of representation.

(*b*) If communal electorates are to be retained then in the view of the association there is no purpose in giving each community voting strength according to its population.

(*c*) The association does not think that property is a test of fitness for the franchise. It can only serve to limit the electorate without ensuring an intelligent electorate. The association is opposed to the principle of property qualification. If it is to be retained it should be lowered and modified so as to include income and wages.

(*d*) The association is in favour of an educational qualification independent of property and would favour literacy test, ability to sign the application for enrolment being deemed sufficient.

(*e*) The association is in favour of retaining the existing military qualification and extending it so as to include service in the Auxiliary and Territorial Forces provided the person was not in active service

3. WOMEN'S SUFFRAGE.

(*a*) The association is strongly in favour of the extension of women's electorate. The association sees no justification for making a distinction between male and female franchise on the basis of age. But the association does not approve of the proposal of the Simon Commission to give the franchise to the wives and widows of the male voters because of the extent of the franchise being limited to 10 or 25 per cent. of the total population. Such a system would double the voting power of the existing class of voters and would leave very little margin for the new class of voters in whose interests the actual extension of the electorate was desired, to come on the electoral roll. But if the limit on the extension was removed then the association would not have any objection to the proposal. As to literary qualification if it was very high the female voters would be very small in number and would be largely drawn from higher classes.

(*b*) In the present state of Indian society women should be grouped separately in separate groups to elect women electors.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The association is of opinion that the depressed classes cannot secure representation in the general electorates, much less can they secure repre-

Memorandum by the UNITED PROVINCES ADI-HINDU (DEPRESSED CLASSES) ASSOCIATION, Lucknow. [*Continued.*

sentation of their own choice even if there was adult suffrage. The reasons are as follows:—

(*a*) In every territorial constituency the depressed classes are in a minority of the population and will be a minority of voters in the electorate much too small to win a seat for themselves.

(*b*) Owing to social prejudice no voter of the higher caste will vote for the depressed class candidate.

(*c*) On the other hand owing to economic dependence on the higher castes and the religious and social influence of the higher castes many depressed class voters may be led to vote for a high caste candidate as against a candidate of his own caste. No depressed class man has ever been elected to the Legislature. At the last election eleven dummies were elected by the Congress to bring the Council into ridicule and contempt.

These handicaps in the way of a depressed class candidate will be greatly increased if the franchise was limited although an extension of the franchise will not remove these handicaps owing to the reasons mentioned above. The association understands that the question, if your answer is in the negative, what specific proposal would you make to secure their representatives in the Legislatures, has reference to the question of franchise methods such as the one suggested in the following sentiments and has no reference to the question of joint *versus* separate electorate or the question of seats. For this view the association relies upon the letter of the Prime Minister to the Chairman of the Indian Franchise Committee, paragraph 7 and paragraph 8—General—of the questionnaire of the Franchise Committee which definitely exclude "the communal question" which include the two issues mentioned above. But in case this issue is taken into consideration the association is definitely of the opinion that the only method open to the depressed classes to secure representatives of their own choice is by means of separate electorate and firmly stands by the minorities pact arrived at in London. Regarding the application of the group system to the depressed classes the association supports the scheme in the form of plural member primary constituencies of members of the depressed classes.

Definition of Depressed Classes.

A list of castes which form in the depressed classes in the province is given in the appendix.

Constituencies for the Depressed Classes.

The depressed class representation for the Provincial Legislature should be distributed between rural areas by districts and in urban areas by industrial towns in which the depressed classes are largely concentrated. If the number of seats assigned to the depressed classes are less than the number of constituencies then instead of combining the constituencies in order to equalize them to the number of seats the principle of rotation should be applied. Voters of these depressed classes constituencies without their turn will vote in the general electorate.

5. REPRESENTATION OF LABOUR.

The association is in favour of organized labour being given special representation even if there was no representation of trade and industry through the instrumentality of recognized Trade Unions.

6. REPRESENTATION OF DEPRESSED CLASSES IN THE FEDERAL LEGISLATURE

(*a*) The association is of opinion that the franchise qualification for the Provincial Legislature and for the Lower House of the Federal Legislature should be the same in case of the depressed classes.

Memorandum by the UNITED PROVINCES ADI-HINDU (DEPRESSED CLASSES) ASSOCIATION, Lucknow. [*Continued.*

(*b*) The association is of opinion that the depressed classes constituencies for the Lower House of the Federal Legislature should be confined to certain urban areas within the province regulated by a system of rotation if need be.

(*c*) The association supports the scheme of indirect election by Provincial Legislatures for the composition of the Upper House of the Federal Legislatures by single transferable vote but provision should be made that every Provincial Legislature shall elect a minimum number of the depressed classes to the Upper House.

APPENDIX.

List of Castes which form the Depressed Classes in the United Provinces.

The list consists of the castes which are subjected to the system of untouchability of the sort prevalent in the province and has been based on the following tests:—

(1) The caste Hindus do not take food or water touched by these people.

(2) The caste Hindus will not allow their entry into eating houses maintained by them for the Hindu public.

(3) The caste Hindus will not allow them to stay in *dharamsalas* maintained by them for the Hindus.

Abbreviations used:—D=Depressed; ND=Not depressed; DB=Dubious; NL=Not listed; DF=Doubtful.

Serial No.	Communities.	According to Census 1901.	According to Mr. Blunt's Statement.	According to U. P. Depressed Class Committee.	According to Adi-Hindu (Depressed Class) Association.	Depressed Class population.
1.	Agariya	D	D	D	D	1,200
2.	Aheriya	D	D	DF	D	17,800
3.	Arekh	D	D	NL	D	73,700
4.	Bhar	D	D	DF	D	241,280
5.	Rajbhar	Included in Bhar.	ND	NL	D	160,000
6.	Beldar	D	D	NL	D	46,520
7.	Bhuinyan	D	D	D	D	1,600
8.	Bhuinyar	D	D	NL	D	3,900
9.	Byar	D	D	D	D	15,200
10.	Badhik	L	D	D	D	200
11.	Barwar	D	D	D	D	5,330
12.	Bhantu	D	D	D	D	300
13.	Balai	D	DB	NL	D	400
14.	Baheliya	D	D	DB	DB	37,800
15.	Beriyas	D	D	D	D	8,810
16.	Bengali	D	D	D	D	1,214
17.	Bansphar	D	D	D	D	11,940
18.	Bajgi	D	D	DB	D	5,820
19.	Bhangi	D	D	D	D	453,530
20.	Balahar	D	D	D	D	2,000
21.	Basor	D	ND	D	D	36,510
22.	Bhogsu	D	D	NL	D	5,100
23.	Bawariya	D	D	D	D	19,400
24.	Charu					5,900

Memorandum by the UNITED PROVINCES ADI-HINDU (DEPRESSED CLASSES) ASSOCIATION, Lucknow. [*Concluded.*

Serial No.	Communities.	According to Census 1901.	According to Mr. Bunt's Statement.	According to U. P. Depressed Class Committee.	According to Adi-Hindu Depressed Class Association.	Depressed Class population.
25.	Chamar— Kuril, Jatiya, Jaeswar, Aharwar, Dhusiya, Dohar, Gharami	D	D	D	D	6,900,000
26.	Dharhi	D	D	NL	D	12,750
27.	Dalera	D	ND	D	D	1,925
28.	Dhobi	D	D	DF	D	669,450
29.	Dhanuk	D	D	DF	D	147,600
30.	Dusadh	D	DF	DF	D	72,124
31.	Dharkar	D	D	D	D	40,037
32.	Dhangar	D	D	D	D	1,600
33.	Domar	D	D	D	D	7,800
34.	Dabgar	D	D	NL	D	6,460
35.	Fakir	D	NL	NL	D	294,253
36.	Dom	D	D	D	D	51,500
37.	Hill Dom	D	D	D	D	202,500
38.	Ghasiya	D	D	D	D	345
39.	Habura	D	D	D	D	4,100
40.	Kharot	D	D	NL	D	4,900
41.	Khairaha	D	D	NL	D	100
42.	Khairwa	D	D	NL	D	100
43.	Kol	D	D	D	D	49,653
44.	Khangar (excluding K. Rajputs)	D	D	D	D	27,300
45.	Kapariya	D	D	D	D	88
46.	Kori	D	D	NL	D	990,000
47.	Khatik	D	D	D	D	199,600
48.	Kanjar	D	D	D	D	18,200
49.	Korwa	D	D	D	D	620
50.	Kharwar (excluding Banbansri)	D	D	D	D	10,500
51.	Majhwar Manjhi	D	D	D	D	21,260
52.	Musahar	D	D	D	D	41,200
53.	Meo	D	ND	D	D	10,550
54.	Nat group	D	D	D	D	56,300
55.	Parahiya	D	D	NL	D	235
56.	Pahri	D	NL	D	D	1,600
57.	Panka	D	D	D	D	4,830
58.	Patari	D	D	D	D	550
59.	Pasi Tarnali	D	D	D	D	1,439,300
60.	Raji	NL	D	NL	D	100
61.	Sanu	D	D	NL	D	900
62.	Samsiya	D	D	D	D	1,600
63.	Sahariya	D	D	D	D	7,600
64.	Tharu	D	DF	NL	D	24,200

LUCKNOW.

Dated 21st March, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, EXCEPT SIR ZULFIQAR ALI KHAN, AND ALL MEMBERS OF THE UNITED PROVINCES PROVINCIAL FRANCHISE COMMITTEE.

Mr. BALDEV PRASAD JEASWAR, representing the United Provinces Adi-Hindu Depressed Classes' Association.

1. *The Chairman:* You were here yesterday when the evidence of the other depressed class representatives was taken?—Yes.

2. You have heard the evidence?—Yes.

3. Is there any respect in which you would dissent from the statement made by them?—Yes.

4. Would you indicate in what respect?—They have included 115 castes in the depressed classes. They base their classification only on economic, social and educational disabilities. We base it only on untouchability.

5. They said they would include those who were socially depressed, economically backward and educationally backward. You would not agree with that?—No.

6. How would you define?—The definition is given in our statement.

7. You would take untouchability also as the basis?—Yes.

8. Applying this test you will include those that are given in this statement among the depressed classes?—Yes.

9. In what other respect would you supplement or dissent from the evidence that was given yesterday? As you know we are not discussing the question of separate or joint electorates. It is the question of the standing and position of the depressed classes and the disabilities that they suffer from. In what respect do you differ from the evidence given yesterday?—My definition of the depressed classes in this and in all other provinces is based on untouchability. I only include those people who suffer from this disability of untouchability.

10. What is the total number?—We make it about 12 millions.

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11. *Mr. Chintamani:* Which classes in the United Provinces are treated as untouchables by the higher classes?—I have submitted a list.

12. I have read your statement. What I want to know from you is which castes in the United Provinces are actually treated as untouchables?—All those castes which are shown in the list.

13. You can't name them?—Chamars, Pasis, Dhobis, etc.

14. You consider Pasis to be untouchables. Where have you found that Pasis are untouchables?—Everywhere in the towns and rural areas. In Lucknow, Allahabad, etc. I have found that.

15. I have not found it. Why do you include Dhobis?—They are untouchables.

16. We wear clothes washed by them every day and move about freely with them?—That does not matter.

17. You have made your list according to such tests?—Yes.

18. *Lord Dufferin:* You have seen the note by Mr. Blunt*. The chief difference between you and Mr. Blunt is in regard to the Chamars. In the villages he says the Chamars are untouchables, but about 2 millions are not untouchable as they have left their degrading occupation and have gradually risen in the social scale. You say that the Chamars are untouchables. That is the chief difference?—Even the name of the Chamars is regarded as abominable. I do not understand how Mr. Blunt has called some of them touchables. What I submit is that all the Chamars belong to the untouchable class.

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19. You then disagree with Mr. Blunt?—Yes.

20. *Dr. Ambedkar:* First of all I want to know about the way in which the depressed classes are treated in the schools. Are there separate schools in this province for the depressed classes?—Yes.

21. Are there any separate schools in Allahabad where you come from?—Yes.

22. In Lucknow?—Yes.

23. Has your attention been drawn to the report of the Committee appointed by the United Provinces Government to report on the state of primary education of boys of the Muslim community and of educationally backward communities in the United Provinces. I want to draw your attention to paragraph 19 in that report which reads like this "The evidence before the Committee showed that the educational backwardness of the depressed classes was due as much, if not more, to economic causes as to social prejudice". And then, there is another paragraph, paragraph 20: "These economic causes combined with strong social prejudice have resulted in local opposition to the foundation of special schools, which usually shows itself in refusal to supply a house or ground for the school on the part of owners of property. In places where accommodation has been found, common methods of breaking up schools are to threaten parents or pupils with dismissal from employment and to make the teacher so uncomfortable that he resigns"?—That is still prevalent.

24. In villages where the depressed classes reside they have separate residential quarters?—Yes.

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25. Regarding taking water from wells?—They are not allowed to take water from the same well as the high caste Hindus.

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26. *Sir Sunder Singh Majithia:* I understand that you are in favour of the group system?—Yes.

27. You say that there should be bigger groups but you have not given any indication as to what should be the size of the groups?—I suggest that instead of 20 the group should be 100. Suppose in a village there are only 5 men of a particular community and 15 of the other castes, those 5 men won't have a chance.

28. In a group say of 100 would you restrict the election of secondaries to 1 or would you give them more representatives to elect?—More.

29. How many?—You may have 5.

30. Regarding the representation of the depresed classes you say, "the Association is of the opinion that the depressed classes cannot secure representation in joint electorates much less can they secure representation of their own choice even if there was adult suffrage". Do you still stick to that statement?—I still stand by it.

* *Vide* pages 303-317 of Vol. II.

31. Then what is the remedy? Suppose adult suffrage is introduced and you still don't get your representation, what would you advise?—The thing is this. We have given some reason for that. Because the depressed classes are in a minority of the population they will have a minority of voter's in the electorate in comparison with the upper classes. They will not be able to elect their own men.

32. Don't you think that by the lowering of the franchise a large number of your people will come into the electorate and there would be a greater chance of these people coming into the Councils even under a joint electorate?—We will not be able to send men of our own choice.

33. They won't come?—No.

34. Supposing there were seats reserved?—Still we will have to suffer from the same disabilities.

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35. A very gloomy picture was given to us yesterday of how a boy belonging to a depressed class was flogged in a public school till he had to leave the school?—Yes.

36. He was flogged?—Yes.

37. On page 398 of the Government Report it is said "There are positive indications of caste prejudice breaking down. The special schools provide for only 24 per cent. of the boys of these depressed classes; the rest read in the mixed schools. The increase in enrolment in the special schools in five years has been 57 per cent. whereas in the mixed schools it has been nearly 275 per cent. The special schools also are attended by boys of other castes". Do you accept that statement?—I find a different thing. The number of separate schools from 125 in 1917-18 has gone to 814 in 1926-27. If there was no necessity for them they would have decreased instead of increasing.

38. You don't accept the statement of the Government?—I could not say how far that is true. My experience is that there was necessity for creating separate schools for the depressed classes and even now-a-days there is necessity.

39. There may be necessity. But won't you agree to this thing, that untouchability is now decreasing?—I don't agree with that.

40. *Mr. Miller:* Depressed class people constitute largely unorganised labour?—Yes, Sir.

41. Are they members of trade unions?—In this province there is organised labour only in one place, Cawnpore.

42. Are depressed classes, members of the union?—They are.

43. *Mr. Tambe:* Are your people holders of lands?—No.

44. Do not Chamars hold lands?—Probably less than 1 per cent. hold lands.

45. How far are you educated?—I was educated up to the 10th class.

46. Are there many graduates in your community?—There are a few.

47. What is the percentage of literacy in your community?—I cannot tell you that.

48. Are you in favour of direct voting?—Yes.

49. You will have group system in case widened franchise on the direct system is not practicable at present?—Yes.

50. How will you form the groups? You have mentioned 64 castes. Will you have 64 groups?—They may be mixed up. We do not want separate groups for separate castes.

51. You will have joint groups?—Only for depressed classes.

52. Have you consulted all the castes?—Yes.

53. Do you think Dhobis will go with you?—Yes. I have consulted them. There are several Dhobi members in our association.

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54. In your memorandum you say that you are in favour of having educational qualification for the franchise. What qualifiction would you prescribe?—We have stated that only a man who can sign his name should be a voter.

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55. *Pandit Hirday Nath Kunzru:* You were asked certain questions about the education of depressed classes?—Yes.

56. Sir Sunder Singh Majithia read out a passage from the Government report which I will not read out again. But may I ask what you think of one particular sentence in that passage? "Increase in enrolment in the special schools in 5 years has been 57 per cent. whereas in the mixed schools it has been nearly 275 per cent."?—I have said that I would not agree with that.

57. Do you question that fact?—Yes.

58. What is the basis of your objection?—The thing is this. In 1917-18 there were 125 schools for depressed classes.

59. The question is not about the number of depressed class schools, but about the number of boys who were admitted to the other schools. The local Government says that the increase in mixed schools has been about 5 times as much as in special depressed class schools. You think that this statement is wrong?—I do say it is wrong.

60. You have not the least information in your possession to disprove this statement?—I could say from my experience that in a mixed school in Allahabad there were only one or two boys. That is my experience in some other schools also.

61. From your experience of half-a-dozen schools you are prepared to question the statement of the local Government relating to the whole province?—I believe in the other districts too, the same is the case.

62. You think that the local Government is deliberately cooking up figures in the interest of the higher classes and to the prejudice of the depressed classes?—The thing is this: when the report was prepared the materials therefor were taken only from the higher castes.

63. You say this is wrong because these figures were taken by gentlemen of the higher classes?—Yes.

64. You say all the facts given in the Education Report are totally wrong?—I do not say that much.

The Hon'ble Mary Pickford: May I be allowed to read a succeeding paragraph from that report? It says: "Teachers available for work in special schools are distinctly inferior to those that are available for mixed schools. The field for recruiting teachers of the depressed class schools is very restricted and it is difficult to find competent teachers belonging to other castes who are willing to serve in the special schools. The standard of educational efficiency in these schools is thus materially inferior to that of mixed schools." I think we may very well judge from that why a depressed class parent who is keen about the education of his boy desires to send him to the mixed school rather than to the special school. That accounts for the difference in figures to which Mr. Kunzru has drawn attention.

65. *Pandit Hirday Nath Kunzru:* In this very report it is stated that the figures with regard to education in depressed class schools should be taken with some degree of caution as no exact definition of the term depressed class is possible. Do you accept that?—No.

66. You question every statement made by the local Government?—Yes.

67. We have had it in evidence given by deputy collectors and collectors that they have experienced no difficulty in the admission of Chamar boys into schools?—Yes.

68. Do you accept that?—There are difficulties, I feel it myself. I am a Chamar. I do not therefore accept their evidence.

69. It has also been stated that difficulty is experienced in the admission of Bhangi and Dom boys and that it is the presence of these boys that accounts for the unwillingness of higher class teachers to go and serve in the special depressed class schools and not the presence of Chamar boys who constitute more than half the proportion of the population which you would regard as depressed classes.—Yes, but I have got to say that their unwillingness is also due to the presence of Chamar and other untouchable boys in the schools.

70. Will the Chamar boys be willing to associate with Bhangi boys?—I have no objection to that.

71. I am speaking of the community as a whole?—They will have no objection.

72. It is contrary to facts altogether. You said, with regard to the ordinary schools, that the authorities concerned do no admit, or show unwillingness to admit, boys of depressed classes?—Yes.

73. Here again I can only quote a paragraph from the Report of the Director of Public Instruction for the year ending 31st March 1930. The following passage occurs therein:—"The tendency is still for an increase of depressed class children in the ordinary schools. The prejudice against association with the depressed classes has broken down so much that the boys of high castes attend depressed class schools where such have reasonably good teachers." Do you accept that statement, Mr. Prasad?—In Allahabad, Lucknow and Cawnpore I have seen several depressed class schools which are not attended by high caste boys.

74. Do you accept the statement I read out or not?—It may be so in some places.

75. May I draw your attention to another passage in the same report: "Jalaun employs a Basore (sweeper) who, being an untouchable, is said not to be liked by the other communities of the depressed classes." Do you accept that or not?—It is an exceptional case.

76. This is the report for the year ending the 31st March 1931, the latest report. You pointed out in reply to a question put by Sir Sunder Singh Majithia that not merely the existence but the increase in the number of the depressed class schools shows that howsoever much the admission of depressed class boys into other schools might have increased, there is a real necessity for such schools. In this report for the year 1930-31, the Director of Public Instruction writes: "It is notable that while the number of the depressed class special schools is decreasing the number of children of this class in ordinary schools is increasing". Do you accept that?—Whatever I have got to say is from personal experience. I have told you distinctly that in Allahabad there are several schools, but in the ordinary schools you find only one or two depressed class boys from that district. I am inclined to say that it may be like that in the other districts also.

77. From your own experience of a few schools you are generalising and making assertions with regard to the whole province?—(No answer.)

78. You have given a list of the untouchable classes. May I take it then that you are not using untouchability in the sense in which it was used by Dr. Ambedkar in his note published at the end of the discussions of the Minorities Sub-Committee of the Round Table Conference?—I do not know what that note was.

79. You regard those classes as untouchable, water touched by whom will not be taken by the high castes?—Yes.

80. And it is on that that this list is based?—Yes.

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Memorandum submitted by the ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION, United Provinces.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) I would suggest extension by reducing the figures for the existing rent and revenue qualifications for rural areas from Rs. 25 to Rs. 7-8 and Rs. 15 respectively. This course could also be adopted in urban areas by reducing the minimum annual rental qualification from Rs. 36 to Rs. 24. I would also give all civil and military Government pensioners a vote, however small the pension may be. I would also recommend a literary qualification for both areas. The upper primary certificate or some such standard could be fixed. I would give the Anglo-Indian and European communities adult franchise as their numbers are small and they are almost all literate.

(*b*) I do not think such an electorate would be capable of casting an intelligent direct vote. They would be largely influenced by the more intelligent and wealthier people.

(*c*) No, it would be a difficult matter.

(*d*) The group system would be the only solution.

(*f*) Yes the group system would be feasible and advantageous. Group electors should vote in separate constituencies.

(*g*) No.

(*h*) No. I would apply the group system to even a restricted electorate as likely to secure better results.

(*i*) Ten to fifteen. I would entrust the work to the Revenue officers and co-opted people.

(*j*) I would not require any higher qualification for persons to be selected by groups.

2. FRANCHISE QUALIFICATIONS.

(*a*) Yes, the measures would be the lowering of qualification in rural areas.

(*d*) Yes I would favour the introduction of a qualification based on education as suggested above.

(*e*) Yes.

3. WOMEN'S SUFFRAGE.

(*a*) I would accept the proposals of the Statutory Commission to go further and give every woman over 21 a vote.

4. DEPRESSED CLASSES.

I do not think the depressed classes would secure adequate representation except by separate electorates.

5. REPRESENTATION OF LABOUR.

Labour would be sufficiently represented with the widening of the basis of suffrage.

Memorandum by the ANGLO-INDIAN and DOMICILED EUROPEAN ASSOCIATION, United Provinces. [*Concluded.*

5-A. SPECIAL INTERESTS.

Recognized bodies should have the right to send representative as the result of a general meeting.

II.—THE FEDERAL LEGISLATURE.

ALLOTMENT OF SEATS.

The Anglo-Indian community should be allowed to send one in the Upper Chamber and two representatives in the Lower Chamber by election from among their members on the Provincial Legislatures.

Mr. O. M. CHIENE, Representing the Anglo-Indian Association, U. P., Allahabad.

1. *The Chairman:* Could you tell us what the number of the Anglo-Indian Community in the United Provinces is?—About 16,000.

2. And I suppose, as elsewhere, they are largely employed in Government offices, in the Railways and so on?—Quite so, Your Lordship.

3. I think you have not got any representation in the Legislature to-day?—Yes, we have one nominated member.

4. And what is it that you ask for so far as the new Legislature is concerned?—At least three seats.

5. In a Legislature of 250?—Yes, in a Legislature of 250.

6. Apart from that, you regard yourselves as a distinct community from the European?—Quite distinct, Your Lordship.

* * * * * *

7. *Sir Ernest Bennett:* What special grievances has your community got which could be remedied by legislation? Are there any grievances or disabilities of which you complain?—Yes, we have. One is that we are always considered as non-Indians. When the question of Indianisation comes in, we are kept out, whereas we claim that we should come under Indianisation as Indians.

8. It can be remedied by laws?—It can be remedied by law or rules.

* * * * * *

9. *The Chairman:* You want an elected seat, not a nominated one?—Yes. We want three elected seats.

10. What form of election?—Direct voting.

11. That means separate elections?—Yes, separate elections.

12. *Mr. Desangés:* Is that election to be done by post?—I think it can be done satisfactorily by post.

13. Is there any election by post in any constituency in this province?—Yes, for the university constituency.

14. Does it work satisfactorily?—Yes.

15. What is the number of voters in the University constituency?

Rai Rajeshwar Bali: It is not very much.

(*The Witness*): It would work satisfactorily for the Anglo-Indians because they are all educated and literate, and they could be relied upon to vote by post.

16. *Mrs. Subbarayan:* Is it not a fact that the Anglo-Indians object to being classed as Indians?—No, no.

17. I thought the Anglo-Indians demanded a special grade of pay and scholarships and grants for schools?—In certain instances they wanted it because they require it to keep up the institutions, not because they are non-Indians. It is to keep up these institutions that we require a higher rate of scholarships and grants.

18. Do not Anglo-Indians demand a higher grade of pay?—They do demand a higher grade of pay because it has been so for years. They do not demand it because they are Anglo-Indians as such.

Memorandum submitted by Mr. S. R. SHARMA.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF FRANCHISE.

(*a*) The existing franchise can be extended to ten per cent. of the population by (*i*) making the property qualification very low and (*ii*) lowering the standard of education test, *e.g.*, 4th class standard may be a qualification.

(*b*) I am quite sure that such an electorate will be quite capable of casting an intelligent vote.

(*c*) I think such an electorate would be "administratively manageable for the preparation, maintenance and revision of the electoral rolls and for recording and counting". Retired Government servants, teachers, lawyers and respectable persons should be employed.

(*d*) (*b*) *and* (*c*) cover this.

(*e*) The enlargement of the present electoral roll is highly desirable. There are difficulties no doubt in preparing an electoral roll. But they are not insurmountable. The patwari (village record-keeper) should keep a register of each village containing the names of those who have a right to vote. The electoral roll may be revised after a period to be settled by a committee appointed in each District and there should also be a provincial committee for the same. And for future every birth should be registered so that there may not be any difficulty in ascertaining the age of each person when adult suffrage is in vogue.

(*f*) There are points for and against indirect election by primary and secondary groups. But as one living in a village as a peasant I am afraid the introduction of group system partly or wholly will be like the opening of Pandora's box. Under the present circumstances it is absolutely necessary for the casting of intelligent vote that the voters should know who they are voting for. By group voting it will not be possible.

Secondly, these elections to legislatures will be spread over a longer period. It may take several months to finish them.

Thirdly, there are greater chances of corruption in the way of influencing and bribing primary voters. Poor peasants will be at the mercy of the police and the Zamindar who will try to have group voters of their own choice, and woe betide many an elector who does not submit to the will of the Zamindar.

Fourthly, it will not develop any sense of responsibility amongst voters.

Fifthly, it will encourage unscrupulous migration from one place to another to make a particular elector to be chosen.

Sixthly, the difficulties of putting this system into execution are immense. If people are grouped in a group of 20 some people of one family or one quarter may be grouped with another or if a group of a hundred is decided to select an elector the same trouble may arise. It may generate unnecessary communal or caste bitterness where none exists. Villages will

be divided into water-tight compartments and their vision will be narrowed. This system, if introduced, will mean a backward step in the process of democracy. Groupings based on caste or community will mean the carrying of separatism to logical conclusions. Poverty breeds germs of hatred and revolutions and instead of applying a soothing balm of direct election the group system will make villagers desperate.

(*g*) Not being in favour of group election I am much more against the group electors being allowed to stand as candidates for such constituencies.

(*h*) I stand for adult suffrage and the next best thing will be to lower the present qualification for voters rather than the introduction of group system.

(*i*) In view of my ideas this does not arise.

(*j*) I am quite against group system. I wish every man having no property and with no education should have a right to vote but if that is not going to be done and if group system is decided upon I want educational qualification to remain.

2. FRANCHISE QUALIFICATIONS.

(*a*) There is a disparity in the franchise qualifications in these provinces in urban and rural areas. I wish a uniform standard to be introduced in both rural and urban areas.

(*b*) If unfortunately communal electorates of any type are retained, according to my view, each community,—I exclude castes and sub-castes from it—should have a voting strength in proportion to its number and in consideration of civil services performed by each community. The best course to achieve this, I think, will be to lower the franchise.

(*c*) In the absence of adult suffrage the possession of property and educational qualification will be necessary.

(*d*) Yes. I think the 4th Class standard should be a test of educational qualification.

(*e*) As I have advocated unrestricted adult franchise, for me this question does not arise. But it is very likely that such a widening of the electorate will not be thought feasible by some people, and for whom the question of retaining the military service qualification will be of considerable practical importance. I shall accordingly put down my views about the matter briefly. I ought to state at the very outset that I consider the principle of considering military service (whether under a conscripted or a Voluntary system), as a qualification for enfranchisement, a perfectly sound one. But the recruitment policy followed in India at the present time will make the application of this principle in this country particularly invidious. The Indian Army is not open without distinction of caste and clan to all Indians who are fit to serve the country in a military capacity and are willing to undertake the risk of that service. If, therefore, military service is made a franchise qualification, in the present circumstances it will involve an undeserved disqualification for numerous Indians who are willing but are not allowed to enlist in the army. The enlisted classes already enjoy many privileges, both political and economic. To give them an extra privilege is not called for at the present moment. And what is more, under certain influences, they are already showing symptoms of developing a class-consciousness which is deplorable in many ways. Their enfranchisement as a group, will to my mind add to the existing political disunities of India and harden the process of dividing the Indian nation into water-tight compartments with particular political and economic interests of their own. A highly developed class-consciousness among soldiers is the more dangerous because it makes them forget their duty to the State and the Nation as a whole. In India this danger is accentuated tenfold, because here the enlisted minority are the only people armed and trained for war among a disarmed and emasculated population. I am, therefore, not in favour of retaining

Military service as a qualification for voting. And in conclusion I should like to add that in my opinion, the omission of Military service as a franchise qualification will not involve any particular unfairness to the classes from which the Army is recruited as most of the recruits come from well-to-do families whose heads are entitled to vote on property qualification.

3. WOMEN'S SUFFRAGE.

(*a*) I favour the Franchise Sub-committee report of the Round Table Conference suggesting that the age-limit for both men and women should be 21. I stand for equality for man and woman. There is no objection to accepting the Statutory Commission proposal that the wives and widows of the men entitled to vote should be enfranchised. Additional educational qualifications are also necessary.

(*b*) In the event of a system of group representation being established, I cannot favour separate groups for women. The groups should have both men and women.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

In considering the question of the representation of depressed classes it is absolutely necessary to know who the depressed class people are. Even the Government census report is vague and it is very difficult to draw a line of demarkation between the depressed class and high caste people. The reform movement coupled with national consciousness has practically removed the so-called differences. I think untouchability does not exist in the real sense in Northern India. Even in the South it is fast vanishing. In villages a young Brahman will have to address an old sweeper as grand father.

Again, if property and educational qualifications are going to be the basis of franchise, the depressed classes will suffer most and if separate electorates are going to be made for them, the seeds of dissension will be sown amongst the Hindus. The process of disintegration will set in and that will lead to ruin. There are depressed classes also among the Muhammadans, such as Muhammadan Mehtars, Fakirs and Bhatiaras. If the depressed classes among the Muhammadans are not to have separate electorates why should separate electorates be formed for Hindu depressed classes?

There is no harm, for the present, to have their adequate share of representation by reserving certain seats for them. But this should be done through joint electorates.

5. REPRESENTATION OF LABOUR.

I have seen the conditions of labour at Cawnpore and Firozabad only. At Firozabad the conditions are very bad. Not being a specialist on labour problems I would suggest that they be represented through the Trade Unions.

II.—THE FEDERAL LEGISLATURE.

6. (*a*) I agree with the Federal Structure Committee in suggesting that "the representatives of British Indian Provinces in the upper chamber should be elected by the Provincial Legislatures by a single transferable vote."

As regards the franchise for the lower chamber of the Federal Legislature, I think the standard of franchise should be a little higher than that for provincial legislatures. On the analogy of the popular legislatures of other countries, the strength of the lower house should be considerably increased. The lower house should consist of at least 400 members in order to make it more popular. To achieve this object the territorial areas ought to be reduced and the present property qualification should also be lowered. The

election to the Lower Chamber of the Federal Legislature should be by direct vote because the lower chamber will be like the House of Commons and a candidate to the popular legislature should come in direct contact with the voters of his constituency. There will be about half a million inhabitants on an average in each constituency.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

I make no difference between man and woman so far as elections are concerned. There is no harm, rather I shall welcome women if they are elected to legislatures. Nomination is not desirable.

8. GENERAL.

I regard the idea of creating a second chamber in the United Provinces as taking away with one hand what the other gives. Apart from its being highly unpopular, it will tend to foster a sort of class war between the Zamindars and the peasants.

Mr. S. R. SHARMA.

1. *The Chairman:* Unfortunately your memorandum has not been received in time for circulation.—I had very little time to prepare it. I prepared it in six hours.

2. Could you make a very brief statement to the Committee of the points which you think are important?—I may read my introduction.

3. The only difficulty with regard to the introduction is that we are not, as a Committee, authorised to deal with the communal question. It is outside our province.—I know that.

4. Otherwise, would you make any statement which you wish to make?—I think it is better to put questions to me.

5. *Major Milner:* What is your view of the franchise which should be adopted?—* * * * * * * I personally believe that adult suffrage is practicable. It all depends on the way in which it is tackled. I think I have got reasons to support the contention that adult suffrage is practicable. There are some difficulties, no doubt. Failing adult suffrage, the property qualification ought to be lowered.

6. On the question of practicability, have you gone in detail into the question of the number of officers that may be required?—Yes, I have gone through that.

7. Have you gone into the question of the number of officers available to draw up the electoral rolls and to conduct the elections?—I know something about England and other countries also.

8. I am not asking about that. Can you tell us how many officers are available to act as presiding officers in any district in the United Provinces?—For each office you will have two officers and 4 clerks. That will suffice. Police and other arrangements can be made.

9. You were in the Mainpuri district. Do you know how many officers there are competent and available to work as presiding officers?—I do not think officers alone are fit to preside. I shall take people like lawyers and other persons who are willing.

10. What class of people, in your opinion, would be acceptable to the candidates, and voters?—I think people who have got some position in villages, honorary magistrates, merchants, etc.

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11. Assuming, for whatever reasons, adult suffrage is not practicable, I understand you to say that you desire an extension of the direct qualification. To what extent would you extend it?—I would extend it to 25 per cent.

12. Would you extend the direct franchise to the fullest possible extent that is administratively possible?—I would extend it to the wage-earner the labourer and other people in the villages.

13. To what labourers in the village would you give the franchise?—A labourer getting Rs. 5 a month and above.

14. Could that be ascertained quite easily?—It can be ascertained because in the villages the average wages are from Rs. 5 to Rs. 8. No labourer gets more than Rs. 10.

15. A suggestion has been made by the Liberal Association that wage-earners who would include the people earning Rs. 5 and over, if they desire to be registered as voters, should make an application giving particulars of what they are earning, and the local revenue officers could check the statement with the employer. Do you think it would be feasible and practicable?—Yes, quite feasible.

16. What other qualifications would you suggest for the franchise?—Educational qualification.

17. What would you prescribe as the test?—What you call the fourth class standard. That all depends on the percentage of the population you want to enfranchise. If you want to enfranchise 25 per cent., you should have the fourth class standard, or middle school standard.

18. What standard in your opinion would indicate that a man or woman is literate in the general sense of the term?—The word 'literate' is very vague. Even the second class standard would indicate literacy.

19. Second class standard would be sufficient?—Yes, it will enable one to read letters and newspapers.

20. *The Chairman:* You are very much against the group system?—Certainly. I think it is a Pandora's box; already there is so much economic trouble owing to poverty.

21. Will you tell us why you are opposed to the group system?—In the villages we have not got so much of education and the people are so backward economically and socially that it will be very difficult for the voters and poor people to know whom they are voting for.

22. Would the women come out to vote in the villages?—If arrangements are not made for them the group system would be a complete farce, so far as practicability is concerned.

23. You have not experimented with it?—If you will all come to villages I can show you.

24. The local Government have experimented and they say it is quite practicable?—Without imputing any motives, I will say that if any District Officer goes they will come forward.

25. There is a wide difference of opinion as to the number of the depressed classes that would or would not get votes on the bases of enfranchisement that have been proposed and whether they would get enfranchisement in the legislatures. Will you give us your opinion?—I don't understand clearly what "depressed classes" means. Economically they are backward and if enfranchisement is based on property qualification it will be difficult for them to get votes, although they have got tenants and they have got fields for cultivation.

26. *Major Milner:* What is your personal attitude towards the depressed classes?—I regard them as my equals.

27. Are there many Brahmans who have your point of view?—Certainly.

28. In the matter of representation of labour organised in factories, workshops and so on, how, in your opinion, should those people be represented?—Through trade unions, otherwise it would be very difficult; the employer may come in.

29. *Khan Bahadur Aziz-ul-Huque:* Will you kindly tell me if under the present qualifications a large number of cultivating tenants are voters?—There are many, no doubt.

30. Supposing it is our desire to enfranchise a large section of cultivating tenants and ryots, what minimum rental qualification would you fix?—Rs. 25 or even Rs. 20, because that would include also the depressed class people.

31. Are you aware that at present the qualification is Rs. 25 and it enfranchises 1 per cent.?—Yes.

32. *Major Milner:* You are yourself a cultivating tenant?—Yes.

33. *Sir Sunder Singh Majithia:* I see you are not in favour of a second chamber?—No.

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34. *Dr. Nehru:* Would you have any objection to the group system being applied to such elements as the rural population who do not get the franchise in the direct system?—I will not have the group system in any form. I regard it as poison.

35. *Mr. Darwin:* When you talked of group elections, who did you think would hold these elections, the patwari, kanungo or who?—Anybody, the higher the man the better.

36. If the group system was applied to the depressed classes only that would mean that the representative must *ipso facto* be a member of the depressed classes. Would you think that less objectionable?—More objectionable; if the group system is going to be applied it must be applied all round.

37. It would give the depressed classes more voters?—That could be done in other ways; most of them are cultivators and wage earners; you can reduce the qualification to Rs. 2 or Rs. 3.

38. Who will find out what their wages are?—The patwari knows the ins and outs of the villagers; he knows their secret things.

39. Would you trust a patwari to give a correct return of the wages?—Where there is no way out of it, we shall have to depend on the patwari.

40. *Mr. Desangés:* Did you do any war service or any recruiting during the war?—No.

41. Why are you against the enfranchisement of the military people?—I have studied the military policy of the Government of India from 1857 down to the present time. Formerly people were recruited from the United Provinces; now the recruiting is confined to certain sections in the Punjab and certain districts. I know so many regiments that have been disbanded.

42. That may be the fault of the Government. Why do you wish to deny the individual a vote?—I have said it in my memorandum that I do not deny it on principle.

43. Would you extend that to the Auxiliary and Territorial Forces?—On principle, but not for any particular case at present.

44. *Dr. Malaviya:* Have you really considered what you call the Panchayat system?—Yes, I understand it.

45. Will you agree to that as an additional method to direct franchise in place of the group system?—That will be important. I agree to it.

46. Do you know that in a large number of villages the panchayat system had to be disbanded because it grew unworkable owing to village interna[l]

jealousies?—I shall give my own experience. It is due to official pressure. In selecting the headman the officers would like to have their own candidate at the head of the Panchayat.

47. You think that if the village headman is not chosen as President of the Panchayat and it is left to the village people to elect one of their own men the system could work?—Yes.

48. *Raja Jagannath Bakhsh Singh :* Do you think the patwari will have the upperhand in the villages in the formation of the groups?—Yes.

49. Are you aware of the fact that the patwari has got the reputation for dishonesty in these provinces?—Yes.

Memorandum submitted by Khan Bahadur MASUDUL HASAN, Bar.-at-Law, Judicial Minister, Rampur State.

* * * * * *

1. (*a*) By reducing the present property qualifications, say by 25 per cent., the existing franchise can be extended.

(*b*) The enlarged electorate would cast its votes as intelligently as the present one does. There will be no appreciable difference in its working.

(*c*) The enlarged electorate would not be unmanageable, but it would certainly require more labour for the preparation, maintenance and revision of the electoral rolls and for recording the votes.

(*d*) *Nil.*

(*e*) Certainly it would be both practicable and desirable to enlarge the electorate by reducing the property qualification and adopting literacy as a further qualification.

(*f*) The group system as suggested, if adopted, would do away with the principle of one man, one vote and therefore it would be the negation of the very principle of adult suffrage which is the ultimate goal of the committee. But if groups of various interests are created for the primary selection of delegates to the electoral college suggested by me then they may prove useful.

(*g*) The question does not arise in view of my answer to (*f*) and II (*b*).

(*h*) It would be feasible and advantageous if electoral college system is adopted.

(*i*) The groups should be fixed by the Government after taking into consideration the number of voters belonging to different interests and the number of seats allotted to them in the legislature.

(*j*) They must possess some educational qualifications along with the property qualification which should be higher than that fixed for the primary voters.

2. (*a*) There is no marked disparity.

(*b*) I am in agreement with this suggestion but do not agree with the method suggested by the question. In my opinion to fix the proportion of voters for various communities is only advantageous if joint electorates whether with or without reservation of seats are maintained, but as the minorities are not in favour of either of the two expedients, therefore to fix an arbitrary proportion of voters is not at all desirable. But with a view to enlarge the franchise and at the same time to secure adequate and genuine representation of all the communities and interests it is desirable that members to the provincial council be elected by means of electoral colleges in the following manner:—

Memorandum by Khan Bahadur MASUDUL HASAN. [*Continued.*

That the voters of the various communities should elect separately their delegates to the electoral college of the constituency in proportion to the number of seats allowed to them in the legislature. Having thus constituted the electoral college it should be left to it to elect the members of the council by means of a single non-transferable vote as is the case in the election of the town areas in the United Provinces.

The advantage of this system is that in the electoral college the delegates of one community may vote for and with the delegates of the other community if they so desire, and if there is a lack of mutual confidence and trust the delegates of the various communities by polling their votes separately may elect the representatives of their own choice. In this way a minority can always safeguard its representation without in any way being swamped by the majority. But special care should be taken in fixing the total number of the delegates of the electoral college and those allotted to the various communities, also the number of the members to be elected by the college. This system in my opinion is best suited to the transitory period because it affords an opportunity of mutual co-operation and at the same time provides means to protect the special interests, and certainly demolishes the existing watertight compartments.

(*c*) The property qualification is not necessarily a suitable test of fitness. But property qualification coupled with educational qualification is a surer basis.

(*d*) I certainly suggest education as an independent qualification for franchise purposes. Any one who can intelligently read and write his own language should be a fit person to be a voter.

(*e*) When the property qualification is lowered, then it would not be necessary to have military service as a qualification, as military men would be eligible under the ordinary qualification. But if military qualification is to be retained then it should be extended to the Auxiliary and Territorial Forces as well.

3. (*a*) Age limit, education and property qualifications should be the same for a male and a *femme sole*. In case of a married woman, if her husband is possessed of more than double the minimum property qualification, then the wife should have a vote if she be otherwise unqualified. In case of plurality of wives only one wife who happens to be the senior-most shall be entitled to vote. Only thus we shall be able to reduce to some extent the existing disparity between the proportionate strength of the male and the female.

(*b*) A proportion of women delegates should be fixed in the proposed electoral college to ensure their proportionate representation.

(*c*) In case women are not elected to the council in proportion of their voting strength then they may be co-opted up to that strength.

4. All Adi-Hindu races, aborigines and untouchables should be included among the depressed classes.

In my above suggested electoral college scheme their representation will be sufficiently protected.

5. I am not in favour of special representation of any sort for labour, because labour can secure its adequate representation through the general constituencies, if it is sufficiently strong in a certain area.

(*a*) I am in favour of the retention of special representation of Universities and Europeans in both the Houses, and that of the landholders in the Upper House only.

The existing method of election may be allowed to stand for Universities, Europeans and landholders.

Memorandum by Khan Bahadur MASUDUL HASAN. [*Concluded.*

II.—THE FEDERAL LEGISLATURE.

6. In my opinion for a big country like India the members suggested by the Federal Structure Committee for both the Federal Legislatures are too small in number. It should at least be 400 for the Lower House and 200 for the Upper House excluding the Indian States representatives which should be over and above this strength as may be agreed upon.

(*a*) In my opinion a single transferable vote system is ideal but it would not be suitable to the condition of the Indian Legislatures composed as they are of various interests and groups, communal and otherwise. In the single transferable vote system the groups may not be able to secure the desired result, as they would not be sure of returning a fixed number of the representatives allowed to them while they would be sure of electing a fixed number of members of their own choice if they are allowed to vote according to the *cumulative system of voting* (*i.e.*, that system by which every voter is entitled to give as many votes as there are representatives to be elected; the elector may in this case give all his votes to one candidate or to more candidates) or according to the single non-transferable system of voting (*i.e.*, where one man is entitled to give only one vote and that to one candidate only and no more).

In both the above systems the members of minority interests can elect representatives of their own choice by polling their votes together and thus can secure representation for their fixed number of seats. In the present condition of the country with no defined party-system-working of elections on the single transferable voting system as it requires nice arithmetical calculations would not be of any great advantage.

(*b*) Both the property and the educational qualifications should be higher for the membership of the Federal Legislatures, but for the voter it should be the same as for the provincial council. It is difficult at present to give details for want of time.

(*c*) For the reasons given in para. II (*b*) I would advocate the establishment of electoral college for the Lower House of the Federal Legislature.

In case this system is put into practice no difficulty about the enormous size of the constituency would arise.

7. Same principle should be applied in the Federal Legislature as in the Provincial Legislature for the representation of women and other interests and that has been suggested above already.

8. Along with other members of the Muslim group I have already expressed my views in favour of the establishment of a second Chamber in these provinces in the Muslim memorandum presented to the Simon Commission.

Landlords and taluqdars should not be allowed any special representation in the Lower House but it should be reserved for them in the Upper House, because if a landlord or a taluqdar is popular enough in his constituency there is no reason why he should not get himself elected from the general constituency.

Khan Bahadur MASUDUL HASAN, Bar.-at-Law, Judicial Minister, Rampur State, U. P.

1. *The Chairman:* Will you give the Committee a little more complete explanation of your Electoral College method? That is the central point of your memorandum. It is under II (*b*). You say 'the voters of the various

communities should elect separately their delegates to the electoral college of the constituency in proportion to the number of seats allowed to them in the legislature'. Would you explain what exactly you mean? It is a novel proposal which has not been before us before?—My idea of suggesting an Electoral College is that we should form groups of various interests such as Musalmans, depressed classes, women or other commercial interests that may be found in certain localities. Those primary voters should elect delegates to the Electoral College in proportion to the number of seats allotted to them in the legislature and having thus constituted the Electoral College the members of the College then should elect representatives to the Council by means of cumulative voting or single non-transferable voting.

2. You mean that the electors should be grouped separately?—According to the interests that should be grouped separately.

3. They will elect to the electoral college?—Yes.

4. The Electoral College would then form a single unit voting by proportional representation?—Yes.

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5. *Sir Muhammad Yakub :* Can you tell us something about the system which was introduced by the Village Panchayat Act as regards the working of the single non-transferable vote?—You mean in the Town areas. The election is based on the principle of single non-transferable vote. There is a multiple member constituency of all these urban areas and Muslims and Hindus or any other community have a vote jointly, but every voter has got one vote and can only vote for one candidate. It has also been provided that the minorities are entitled to a minimum which is fixed by rules. The result is that minority representation can always be had by means either of mixed voting, that is, one community voting for the other or if there is no sufficient mutual trust and confidence among the communities, the minorities can always poll their votes together and can elect men of their own choice.

6. Is this system working amicably in the United Provinces?—I know perfectly well about Rohilkhand. I have not heard of any grievance.

7. What is the difference between your Electoral College and the group system which is proposed?—The group system proposed in the questionnaire does not suggest separate groups of various interests. In the group system which is suggested by the questionnaire the minority can easily be swamped by the majority in the group itself. A group might contain members of various communities, as for instance depressed classes or Muslims and if the other interests have got a majority it is quite possible that they may not be able to influence the election of the electors.

8. Do you think that the Electoral Colleges which you have proposed would create sufficient interest among the mass of the electors to join them?—Most certainly. Why not? If the people are interested in the working of the constitution it makes no difference whether you have the direct system or the indirect system as long as they select men of their own choice to represent them in the Electoral College. They will certainly be interested.

9. What proportion of the population should, in your opinion, be enfranchised in order to work responsible government?—The ideal is adult suffrage, but probably it is unworkable in India at present. Therefore, I would suggest that by lowering the property or income qualification and also by adding the educational qualification at least you can enfranchise something like 10 per cent. to 20 per cent.

10. What percentage, in your opinion, would be practicable to enfranchise?—25 per cent. would be all right. At present it is absolutely ridiculous to have 5 per cent.

11. You have got some experience of the elections and you have also worked in election cases. Can you tell me if it is necessary, in your opinion, that

every elector should be identified as is done in the United Provinces council elections?—You have to maintain some sort of system of identification. If that is not done then that might lead to all sorts of corruptions, personations and so on.

12. Don't you think that the agents of candidates or the Patwari or the Mukhiya who are usually present at the polling booth will immediately find out whether a local man has come up?—In the case of the rural areas the Patwari is probably the best man to identify. He has got the village record and from that he can exactly find out the voter; but in the case of urban areas it will be very difficult to leave it entirely to any unofficial agency. In the case of urban areas, I think, candidates must produce men who know these voters.

13. Has there been a large number of cases of false personation in the United Provinces?—I did not see very much. In my experience there have been a number of cases of personation. Of course, a large number of allegations were made but they did not prove to be correct.

14. What about the second chamber in the United Provinces?—I think it is very desirable, because the second chamber will be a check on hasty legislation. It will have a moderating influence and it will give representation to such interests as Zamindars, Taluqdars, experts and so forth.

15. It is your opinion that it is better to have a second chamber than giving certain emergency powers to the Governor?—I would rather have a second chamber. You will be placing the Governor in a most awkward position if you give him too many emergency powers.

16. What, in your opinion, should be the electorate for the second chamber?—You can lay down higher qualifications, property, income, literacy and also 'expert' qualifications.

17. What about the Federal Assembly? As regards the second chamber what electorate would you propose?—The local Councils.

18. Do you think that the local Councils alone would be a proper and safe electorate for the second chamber?—If my Electoral College is a safe electorate for the Council, the local Council is certainly so for the Council of State.

19. If your scheme does not succeed?—Then probably direct and separate elections would do.

20. *Mr. Butler:* How would your Electoral College actually work in a village? The Electoral College would be situated in the centre and the delegates would travel?—There will not be very many. There will be very few delegates.

21. How many would you have in an Electoral College?—An Electoral College of 100 for the whole Division would do.

22. They will travel to the capital of the Division?—They can travel to the capital of the Division or they may go and vote at their headquarters.

23. Headquarters of the district?—Yes, a Tehsil.

24. And the results of the district can go to the Division?—Yes. Scrutiny can be made at the headquarters of the division.

25. How would they elect?—They would elect from each village or a group of a number of villages together.

26. Supposing there are 100 delegates to a Division, there are approximately three million people in the Division. 100 delegates have to be divided up amongst 3 million people. How would you get together all those villagers? How many will each group elect?—From every group you will have to elect several electors.

27. There are 100 delegates to each Division?—You may have 100 or you may have more. That does not matter.

21st March, 1932.] Khan Bahadur MASUDUL HASAN. [*Continued.*

28. It would be simpler to have one delegate from one village?—From every group. You will have delegates of every community. You must have a multiple member group.

29. You will have a delegate from each village?—It depends upon the number allotted to every group according to the ratio of the population, weightage, etc.

30. Do you think this will cause complications in the village?—Not at all.

31. *Sir Sunder Singh Majithia:* You have said in a plural constituency you would give one vote to one man. Under the system of cumulative voting you would give a large number of votes to one man. Would you kindly explain that?—You mean the cumulative voting? The result of the cumulative voting and single non-transferable voting, is one and the same.

32. Would you have any objection to that system being applied?—When the result is the same it does not matter.

33. *Khan Bahadur Aziz-ul-Huque:* In your memorandum in the preliminary remarks* you have said " it may be well to point out that the scheme suggested is not without precedent as Lord Morley suggested a somewhat similar system in his reforms scheme ". Do you know why Lord Morley's scheme was abandoned?—My opinion is that for want of political education, the people did not understand the significance of that scheme.

34. One of the drawbacks of that scheme, so far as the press is concerned, was that it was amenable to influence very much?—I don't think so. We discussed that scheme in London. As a matter of fact, the people in India did not understand and opposition was raised.

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35. *Mr. Tambe:* Your Electoral College is to be a college of all delegates of all communities?—Yes.

36. *Rai Rajeshwar Bali:* May I understand that your idea is that the number of members of one community should be according to the proportion of that community?—The number of delegates of the various communities should be fixed according to the number they are allowed in the legislature.

37. Not according to the population?—No. You have to fix the number. Take for instance the depressed classes. You have to fix the number of the depressed classes in the Electoral College according to the number of seats and weightage that they are given in the legislature.

38. *Raja Jagannath Bakhsh Singh:* In the near future it is more likely than not that there will be particularly strong attacks made against the interests of the Zamindars?—It depends upon the attitude of the Zamindars themselves. If they are sympathetic towards their tenants probably there will be no attacks and if they keep themselves aloof and look to their sole interest, they will be attacked.

39. Do you not think there will be such men who are likely to create division between the tenants and the Zamindars? It is those men who will make such attacks.—You mean professional agitators? They may. But if a Zamindar has got a sound footing and has got influence in his villages, these attacks will have no force.

40. In the Council?—They will have no force, because the Zamindars will be there in as strong numbers as they are now.

41. You don't think that it is necessary to have some men of special experience in the Lower House also?—They may come through the general electorate. I have said they should have fixed some seats in the Upper House.

42. Will that be possible?—Most certainly.

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* Not printed.

43. *Khan Bahadur Hafiz Hidayat Husain:* You are recommending in your statement the keeping up of special representation for the Universities? —Yes.

44. Don't you think that the graduates, professors and teachers come through the general constituency? Still you recommend special representation for them?—Yes.

45. Taking the same analogy won't you recommend the same thing for the Zamindars as you are recommending for the Universities?—I am recommending in the case of the Universities because the Universities may be able to return men of special learning and knowledge, as experts on the question of education to the legislature. I don't see any reason why in the Lower Chamber Zamindars should have special representation when they are given special representation in the Upper Chamber.

46. Will you tell me from which constituency Dr. Ziauddin was returned? —I suppose the general constituency.

47. Is he supposed to be an educational expert?—Yes. Because he could not get elected from the University probably he was compelled to come to the general constituency.

48. And I understand there is no barrier for these educationists?—Nothing whatsoever, and there should be none.

49. In the same way as you are recommending in the case of the Universities won't you recommend in the case of the Zamindars?—The case of the Universities is peculiar and it is not so of the Zamindars.

50. Would your Electoral College be applicable to a group of villages, a Pargana or a Tehsil?—It depends on the local conditions.

51. Would it mean that there will be two elections, one for the Electoral College and one for the secondaries?—That I have said already. It is an indirect election. In my opinion direct election is not quite suitable to a country like India where there are so many divergent interests.

52. Election by the secondaries alone would be direct?—By the secondaries will be direct and by the primaries it will be indirect.

Memorandum submitted by the UNITED PROVINCES CHAMBER OF COMMERCE.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

The Chamber is in agreement with the Franchise Sub-Committee of the Round Table Conference that adult suffrage should be the ultimate goal to be attained. Recognising the practical difficulties in the way of reaching that goal immediately the Chamber would be satisfied with "the immediate increase of the electorate so as to enfranchise not less than 10 per cent. of the population".

(*a*) The existing franchise for the Provincial Legislature may be extended so as to include 10 per cent. of the population in the electoral roll by (1) lowering the existing property and payment of tax qualifications, (2) introducing literacy or educational qualifications and (3) enfranchising a much larger number of women as suggested in reply to a later question.

(*b*) The Chamber thinks that such an electorate will be capable of casting an intelligent vote.

(*c*) The Chamber does not anticipate any insuperable difficulties in the way of such an electorate being administratively manageable.

(*d*) Does not arise.

Memorandum by the UNITED PROVINCES CHAMBER OF COMMERCE. [*Continued.*

(*e*) Further extension of franchise should be considered in the light of experience of the working of the enlarged electorates as suggested above.

(*f*) The Chamber is not in favour of the system of grouping suggested. The practical difficulties in the way of successful working of such a system would be almost as great as in the case of the immediate introduction of the adult suffrage without the latter's distinct advantages. Apart from administrative difficulties the group system would lead to unnecessary delays and be a great disadvantage to the candidates. On the other hand it would have little or no educative value.

(*g*) As stated above the Chamber is not in favour of the group system. In case, however, it is decided to frame separate constituencies for group electors the Chamber would not approve of the proposal that only group electors should be qualified to stand as candidates for such constituencies.

(*h*) The answer is in the negative.

(*i*) & (*j*) Do not arise.

2. FRANCHISE QUALIFICATIONS.

(*b*) The Chamber is strongly against the retention of separate communal electorates. Assuming, however, that such electorates are retained, the Chamber is in favour of each community being given a voting strength, proportionate to its number. This can be effected by fixing the franchise qualifications lower in case of one community as compared with those for another.

(*c*) In the opinion of the Chamber the possession of property is a suitable test for the fitness for the franchise and the Chamber considers the existing property qualifications suitable in principle.

(*d*) As stated in answer to question 1 (*a*) the Chamber is in favour of introducing a qualification based on education. The chamber would suggest that persons who have passed the Vernacular Middle or VI standard of the Anglo-vernacular schools should be enfranchised under educational qualifications.

(*e*) The Chamber is not in favour of retaining the existing military service qualifications.

3. WOMEN'S SUFFRAGE.

(*a*) The Chamber is strongly in favour of a much larger number of women being enfranchised than is the case at present. The Chamber agrees with the suggestion of the Statutory Commission that the wives and widows of men entitled to vote under the property qualification should be enfranchised. The Chamber is not however in favour of the condition that such wives and widows should be over 25 years of age and suggests that the age limit for this purpose should be 21 for women as well as for men. In case of co-wives, the first wife only should have the right of vote. The suggested educational qualification should, of course, be applicable to women also.

(*b*) If a system of group representation is established, the Chamber would not favour separate groups being formed for women. The group should contain both men and women.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The Chamber is in favour of provisions being made in the new constitution for a better representation of the depressed classes and agrees that the method of representation by nomination is not appropriate. The Chamber is, however, most strongly against separate electorates being constituted for the depressed classes. It has, however, no objection to an adequate number of seats being reserved for these classes, to be filled up by

Memorandum by the UNITED PROVINCES CHAMBER OF COMMERCE. [*Concluded.*

election by the general electorates, as the extension of the franchise is not likely, for the present, in itself to secure better representation of these classes in the legislatures.

5. REPRESENTATION OF LABOUR.

As such widening of the basis of suffrage in general constituencies as is immediately practicable is not likely to provide adequate representation of labour, the Chamber would favour special representation of labour by (*a*) election by registered trade unions and, (*b*) nomination where election by recognised trade unions is not practicable.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

The Chamber is in favour of retention for the present representation of special interests, *e.g.*, Universities, Commerce, Landholders, *etc.*, in the legislatures and considers that the existing methods of election thereto are satisfactory. In the United Provinces Legislative Council the representation of Indian Commerce should be equal to, if not more than, that of European Commerce. The numerical strength of the Council will probably have to be considerably increased. If the number is raised to 200, the representatives of this Chamber should be four.

II.—THE FEDERAL LEGISLATURE.

(*a*) The Chamber agrees with the proposal of the Federal Structure Committee that the representatives of the British Indian Provinces in the Upper Chamber should be elected by the Provincial legislatures by a single transferable vote.

(*b*) The Franchise qualifications for the Federal Legislature should be higher than those for the provincial legislatures. In the case of the former the Chamber would raise the qualification so as to enfranchise 5 per cent. of the population.

(*c*) The Chamber is strongly in favour of direct elections to the lower Chamber of the Federal Legislature. Practical difficulties would no doubt be felt but they should not be insuperable. To make the territorial constituencies administratively manageable, the numerical strength of the Chamber may, if necessary, be increased beyond the figure suggested by the Federal Structure Committee.

Rai Bahadur Babu VIKRAMAJIT SINGH
Mr. B. N. CHOPRA. } **Representing the United Provinces Chamber of Commerce.**

1. *The Chairman:* You represent the United Provinces Chamber of Commerce?—Yes.

2. What is the membership of your chamber?—117.

3. European or Indian?—It is mostly Indian.

4. Have you any representative in the Legislative Council?—We have one.

5. Elected or nominated?—Elected by the members of the United Provinces Chamber of Commerce.

6. The other day the representatives of the Upper India Chamber of Commerce gave evidence to the effect that the representation should be in the name of the firm and not in the name of any individual. What view is your Chamber taking?—We have no difficulty on that point. We ask the firms to give the names of their representatives to be entered in the electoral roll and they do so.

21st March, 1932.] Rai Bahadur Babu VIKRAMAJIT SINGH & Mr. B. N. CHOPRA. [*Continued.*

7. When a firm has to be represented, it gives the name of an individual as its representative?—Yes.

8. If the strength of the Council is raised to 200, you want four seats?—Yes.

9. That is to say, if the existing number of seats in the council is to be doubled, you want your representation increased four times?—We want our representation to be increased inasmuch as we represent the commerce of the whole province. All important Indian joint stock companies, banks and firms have become members of this Chamber. As we represent the Indian side in commerce and industry, we say that our representation should be fixed at least at 4 if the strength of the Council is to be doubled. As it is, we say that our representation is smaller than that of the other chamber. Their number is 70 and they have 2 representatives, whereas though our number is 117, we have only one representative.

10. Have you got the figures of capital which the two chambers represent?—It is very difficult to get them. We have got banks and firms run by Indians. We have never tried to calculate the amount of capital they have invested.

11. Do you agree with the principle which has been put forward that it is important, in the new legislature, that industry and commerce should have expert spokesmen, not very much because their interests are likely to suffer, but because it is important to have certain experts in a legislature with widened franchise.—Certainly. It is essential in the interests of commerce.

12. Not merely to protect the interests of commerce, but to guide the legislature?—Yes. Their spokesmen cannot control the vote because they will be in a hopeless minority.

13. *Mr. Miller:* You suggest two methods for representation of labour, one through the trade unions and the other by nomination?—Yes.

14. I take it that that is because you feel that, as they are to-day, trade unions would not be representative of all the various kinds of trade?—Yes, that is so. If the trade unions are registered, they can very easily return the labour members. Otherwise, I say they should be allowed a seat by means of nomination.

15. Supposing it is decided to have no nomination, how will you give them representation?—Then a special electorate of the labouring classes may be formed and they may be asked to return a member to the Council.

16. The Government have suggested that special constituencies should be formed of adult labourers who have for six months been employed on a pay of Rs. 15 a month?—I have no objection to that scheme. I think that will be representative and especially in Cawnpore where there are a large number of people who work in mills and so on, a constituency can be easily arranged. This is only as an alternative to giving representation through registered trade unions.

17. As trade unions are to-day, do you not think it is better to have some representation by trade unions and some by nomination?—If constituencies are formed they will have better representation. This is my personal view.

18. It would be preferable, in your opinion?—Yes.

19. You consider that you should have equal representation with the Upper India Chamber of Commerce, or possibly more?—We represent the Indian side.

20. You have mentioned that banks are members of your chamber. Are British banks members of your chamber?—No. We had at one time certain British banks in our chamber.

21. If the Government take the view that the capital interests represented by the Upper India Chamber are more representative than yours, would you consider that view as correct?—I think they take railways which are members

of their chamber into consideration. If we leave out the railways altogether, you will find that so far as factories and industries are concerned, our chamber represents an equal amount of capital. If we had been asked to collect statistics we would have done so and proved our contention.

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22. *Mr. Tambe:* Are there Indians as members in the Upper India Chamber of Commerce?—There are some.

23. Is there any conflict of interest between Indian commerce and European commerce in this presidency?—Yes. Wherever Indian capital has been invested the management is entirely in the hands of Indians and the same is the case with European capital.

24. Is there any conflict of interest?—Sometimes there is on broad questions of policy.

25. So far as your province is concerned?—I am not, at the moment, able to quote any instance of legislation in this respect. But generally, in outlook and on general questions of policy, there is difference.

26. Have you any objection to a joint electorate of the two chambers?—Personally I have none, but I do not know whether it will be very helpful; because, after all, both of them are separate registered bodies. If these are combined it will be very difficult to canvass for votes.

27. *Major Milner:* In answer to Mr. Miller you seemed to say that organised labour is not likely to obtain adequate representation on any basis of suffrage which is immediately practicable?—Yes.

28. Do you think that they receive adequate representation in ordinary constituencies?—They do not because they have no money.

29. Economically they are the depressed section of the villages?—I would not use the word depressed. Economically they will not be able to finance elections.

30. So, you favour representation of labour through election by registered trade unions?—Yes. As an alternative, in case it is impossible, we agree to representation of labour by labour constituencies. But I prefer representation of labour through registered trade unions.

31. Are there registered trade unions in this province as in other provinces?—I understand there are some in Cawnpore.

32. There are six registered trade unions there?—Yes. I favour representation through these unions.

33. *Mr. Miller:* As conditions are to-day, would you consider it better to have special constituencies on the lines recommended by the Government?—I only put it forward as an alternative method to election by registered unions.

34. *Sir Sunder Singh Majithia:* You are against retaining the existing military service qualification. Don't you think if you take away this right there will be disappointment?—I have great respect for military men and I do not wish to deprive them of their vote. What I say is that these military service men will be qualified for the vote just like other persons.

35. Supposing there are some who have not got the necessary qualifications, would you deprive them of their vote?—My recommendations are that the franchise ought to be lowered. If that is done, I do not think that any military man worth the name will be excluded. My own idea is that all these people have got the vote for some qualification or other and therefore my proposal will not in any way hurt their interests.

36. I presume you are not aware of the conditions in the Punjab?—I am very well aware of the conditions there. In Punjab the Muslims are mostly cultivators. There are a few Sikhs and Hindus who are not cultivators, but they are landlords or zamindars.

21st March, 1932.] Rai Bahadur Babu VIKRAMAJIT SINGH & Mr. B. N. CHOPRA. [*Concluded.*

37. *Mr. Butler:* You suggest a dual basis of representation for labour, partly by trade unions and partly by another method?—I have suggested that they should be returned by the trade unions and as an alternative if there were no trade unions, I have agreed to the formation of a special labour constituency.

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38. *Lord Dufferin:* Suppose you find that there are registered trade unions, but 11/12ths of them are railway unions. Would you give representation to those unions, that is to say, would you give representation only to the railway labour, or would you adopt your alternative scheme for the textile and other industrial workers?—We have a trade union in Cawnpore and as most of our labourers are workmen in the mills, they can very easily become members of that union. That is my impression. Therefore, if they choose they can get representation through that union.

39. What is the membership of the trade union you are speaking of?—I cannot give you the exact figure. The total number of labourers working in Cawnpore will be between 20,000 and 25,000.

40. *Mr. Chintamani:* Arising from your answers to Mr. Tambe, I suggest that there may be joint electorate for both the Chambers of Commerce, European and Indian?—Yes.

41. Is it a fact that there are some Indian members in the Upper India Chamber of Commerce?—Yes, there are a few.

42. Are there any European members in your Chamber?—No.

43. But there is no rule in your chamber forbidding the admission of Europeans as members?—At one time we had a few Europeans.

44. You have made a statement about conflict of views and differences of opinion between the two chambers?—Yes.

45. Will you consider the suggestion that once you get a joint electorate for both the chambers, these differences will cease to be magnified and every effort will be made by both to approach trade and industrial questions from a non-communal point of view?—There is much to be said in favour of that suggestion. But we have never discussed this question in the committee of the chamber and therefore I am not in a position to commit the chamber one way or the other.

46. Are you prepared to consider the suggestion on its merits?—Yes, with pleasure.

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47. *Mr. Miller:* If the suggestion to form a special constituency for labour on the wage basis is accepted, do you think the firms would co-operate with the Government and supply the Government with the necessary information?—I am sure the firms will co-operate.

48. *Major Milner:* A suggestion was made to you that a union would not be representative if it only has a small proportion of those engaged in labour on it. I want to know from you whether the Chamber of Commerce can be said to be representative if it has not as members all those who are engaged in commerce?—I do not accept either the one or the other.

Mr. J. L. SATHE, I.C.S., Director of Industries, United Provinces.

1. *The Chairman:* You are the Registrar of the Trade Unions under the Trade Unions Act?—Yes, Sir.

2. Are you aware of the general labour conditions in this province?—I took charge of this job only eight months ago. I have tried to study the labour conditions here.

3. Will you tell us the number of operatives in factories registered under the Factories Act?—There are 92,161 operatives.

4. How many women operatives?—6,623 females.

5. Most of the factories are situated in Cawnpore as the largest industrial centre?—Cawnpore is the largest industrial centre. But there are centres of smaller importance.

6. What is the number of factory labourers in Cawnpore?—33,727.

7. And what is the next centre?—Lucknow; the number is 11,486.

8. Is that the next largest?—I think that is the next largest.

9. What are the principal industries? Are they textile industries?—In Cawnpore there are textiles and there are also leather works and a few sugar factories.

10. What is the industrial population in the textile industry?—The industrial population in the cotton factories is 20,144. The next number is in woollen mills, *i.e.*, 1,504; in jute mills the number is 1,200; in sugar mills it is 947; in oil mills, 1,442.

11. What is the number of railway workers?—There are very few railway workers in Cawnpore; only 171.

12. I am asking about the province.—These figures which I have given are all for Cawnpore only.

13. That is, the jute, cotton, woollen mills, sugar factories and oil mills?—Yes, all for Cawnpore. And the leather workers number 2,295 in Cawnpore. Tanneries are separate and account for 793 workmen in Cawnpore.

14. Is there a textile trades union?—There is the Cawnpore Mazdoor Sabha in Cawnpore. It is not limited to textiles, I think.

15. That is, as far as I can see, the only industrial union in the province. There is the press employees' union and all the rest are railway employees' unions?—There was one union called the press employees' union, but that has now ceased to function. That was of the employees of the Government Press at Allahabad. All the rest are railway unions.

16. And in the industrial union there are about 874 members at the end of last year?—Yes, 874 at the end of last year in the Cawnpore Mazdoor Sabha.

17. Can you, from your experience, express any considered opinion as to the degree of organisation which the trade unions, apart from the railway unions, have reached in this province?—I am afraid they are not very well organised. The trade unions are still working with defective organisation.

18. Those outside the railway unions?—Even the railway unions are not all working well. There are factions in one or two.

19. Do you think that it is possible in this province to bring into operation the recommendation of the Whitley Commission that if labour was to receive direct representation in the Legislature as a special interest corresponding to capital, the trade unions which are well developed and efficiently organised may be made the units, and whether they would be representative of labour?—I guess that as trade unions get representation, many more people will join them, and many more trade unions will crop up.

20. It will lead to a considerable expansion?—Yes, considerable expansion of trade unions in the United Provinces.

21. We do not want to ask you questions on matters of policy. If you feel that you can answer you may do so. Do you think that unions as they are likely to be organised in one or two years would be a sufficient basis for representing the special interests of labour? If they are given 5 or 10 seats in a Legislature of 250, would they be able to elect that number?—I have no means to judge how fast the development of trade unions will pro-

ceed in the next two or three years, but there will certainly be an expansion. Whether they would be sufficiently organised and representative of all the trade workers is more than I can say.

22. Am I correct in inferring from that that you have some doubt as to whether they are sufficiently organised at present?—They are not sufficiently organised at present.

23. Do you think that the fact of their being thought fit to represent labour may lead to expansion within a reasonably short time?—Yes.

24. *Mr. Miller:* Can you give any explanation as to why the other trades and industries (than textiles) are not organised?—The Mazdoor Sabha is not limited to textiles.

25. How is it that the trade unions have not appealed to the workers in the various trades you have mentioned?—The trade union movement has not caught yet, as the trade unions have no substantial advantages to offer to the workmen. They do a little welfare work, but that is all the advantage that a workman can get at present by joining a union. Trade disputes have been few and so the advantages of trade unions in that direction have not been brought home to the workmen.

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26. Though there are 20,000 people in Cawnpore alone?—They try to get men from all industries. The movement has not caught yet.

27. If it has not caught yet, would they attach great importance to representation?—They would attach great importance to electoral rights if they are given to the unions and this would induce many more workmen to join.

28. That would be the only reason, because they get representation?—That would be an additional reason. That may not be the only reason. At present there are factions, and people do not like to subscribe if they find that there is nothing to gain thereby. If they find that there is something to gain, people would join in larger numbers.

29. At present there are no special benefits, and so it does not appeal to the workers?—The union is not able to do much. It is doing at present propaganda work, opening a few hospitals and so on. They can serve only a limited clientele. But the general members do not get any benefit.

30. Have they got any grievances which could be redressed by representation in the Legislature?—I do not think they have particular grievances, but they form a large part of the population of the province, and I suppose they are entitled to representation.

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31. *Lord Dufferin:* There is a union called the Cawnpore Mazdoor Sabha?—Yes.

32. That union also is a union which has increased its membership since last year?—I think it has decreased in membership instead of increasing.

33. You are aware that in 1929 that union did not submit its returns to the Registrar, because the records were in the hands of the police?—I could not tell you. I know nothing about it.

34. You are aware that in 1930 the Registrar of Trade Unions said that that union was chiefly engaged in political activities?—I am not aware of that. It may be.

35. Now, you said that if trade unions are given votes they would be able to represent labour; there are 91,000 factory workers in this province, and how long do you think it would take for the trade unions to develop sufficiently to represent labour?—It is difficult for me to say, because as an official, I have not come in contact with those people. It all depends on the non-officials who do propaganda work.

36. Will it take a year or ten years?—It will all depend upon the non-official propagandists who will take advantage of it.

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37. *The Hon'ble Mary Pickford:* The principal occupation for women is in the cotton mills, is it not?—In the cotton mills, and possibly in the ginning factories and cotton presses. Some may be in the jute mills also.

38. I notice that there is no woman in any registered trade union.—I have not got any separate figures for the membership of men and women.

39. There are columns here for males and females and the entry in the female column is *nil* under each head. Therefore I think we may take it that there is no female in any registered trade union?—My figures are not given separately for men and women. Most probably there is not a single woman in the trade unions.

40. Could these figures be circulated to us?—Yes.

41. With regard to your answer that if trade unions are used as a basis of franchise, no doubt their number of members would very much increase, would you agree that in that case the workers would be joining the unions for purely political reasons and not for reasons of industrial combination?—I would not put it like that. At present what they feel is that they have not got any tangible benefit by joining the unions. But if there is any immediate benefit to be had, that would serve as an attraction.

42. The tangible benefit would be the vote, is it not?—The immediate tangible benefit would be the vote.

43. At any rate the primary attraction would be the political one?—I would not say primary, but immediate.

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44. *Major Milner:* Do you know anything about the condition of the workers in factories?—I have seen a few factories, but not in my capacity as Director of Industries. Although I am in charge of the Factories Department, somehow or other I have not been invested with the powers of entry into factories. I have written to Government about that.

45. You know possibly that there is a tremendous amount of work in the way of legislation on the workmen's compensation law and all that sort of thing. Could you give us an opinion on that?—I have studied all these Acts which I have to administer, and I have also sent annual reports. But much is not being done at present and much more can be done in the enforcement of all those Acts for the benefit and welfare of the workmen.

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46. Have you got any personal view as to the necessity of labour representation?—If there is going to be any special representation for capital, I think organised labour also should be represented. That is my personal opinion.

47. It has been suggested that if a vote is given to trade unions, people would join merely for political reasons. Would not the vote give the unions status, responsibility and standing?—If a union is recognised for voting purposes, it will certainly rise in the estimation of the people.

48. And in the estimation of the employers?—Yes.

49. What is the relationship now? Are unions recognised and negotiated with by the employers, or are they ignored?—The tendency is to ignore them as far as possible.

50. And to discourage them?—It is more than I can say, what their inner motives might be.

MGIPC—SL—33 Franchise Com—31-8-32—2,000.

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Government of Maharashtra

on 01 February, 2020